

THE
Pamphleter
RESPECTFULLY DEDICATED
TO
BOTH HOUSES OF PARLIAMENT.

MARCH, 1813.

TO BE CONTINUED OCCA
AT
AN AVERAGE OF FOUR OR FIVE NUMBERS ANNUALLY.

Omnes pensantur eadem
Scriptores trutinâ. Hon. Epist.

VOL. I.

T

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PRÉFACE.

To those, who concern themselves in the advancement of knowledge, and in the general success of literary merit, it cannot but be a matter of much regret to observe how great a proportion of that mass of information which is constantly issuing from the press, upon every topic of discussion, is consigned to undeserved oblivion by the mere vicissitude of daily occurrences. No sooner has any great political, or moral, or scientific question elicited from the collision of conflicting sentiments innumerable sparks of light branching out in all directions, and illustrating the subject

in every possible point of view, than another argument of equal importance arrests in its turn the public attention, and the many bright and valuable hints struck out in the course of its predecessor are disregarded ; and, like meteors rather than stars, they cease to exist the moment they cease to shine.

In the metaphor here adopted, we have considered the better sort of those compositions, which, under the appellation of *Pamphlets*, burst forth upon the public, on every new object of inquiry, as stars ; which, for the purpose of concentrating their rays into a more durable, as well as convenient, focus for observation, we propose to collect and combine together into distinct volumes, like many constellations, by means of which these guides through the obscurity of transient opinions will be made mutually to reflect their light upon each other, and form a body of splendor not easily to be either dissipated or extinguished. The general assemblage of these groups ;—the stellar sphere wherein those of any lustre will all find their place as they successively arise on the

horizon of literature, in allusion to their popular denomination, we style

THE PAMPHLETEER,

and we claim to ourselves the merit of originality in the production of a system calculated to exalt the erratic luminaries of the day into the consequence of *fixed* stars; and, without any change of their relative magnitudes, to give them the advantage of *permanence*. All that we propose is to project them upon a scale of typographical uniformity proportioned to their several longitudes; and thus to comprize our asterisms within due and nearly equable limits, as well for the symmetry of the arrangement as the convenience of the observer.—We may add that, although circumstances may compel them to describe equal areas in unequal times, the periods of their emersion shall be regularly adjusted to the existing masses of their component phænomena.

Such is the *theory* which we now offer to the curious and scientific part of the public; and we confidently flatter ourselves that, as we shall spare no

exertions, so we shall neither be found to fail in the *practice*, nor have reason to lament any deficiency of encouragement.

But, like all other new theories, our's, we are well aware, must expect at its outset to meet with many objections. Its novelty, however, we presume to think indisputable; its singularity also can hardly, with any propriety, be questioned, as it resembles none of the periodical productions of the press. From Magazines and Reviews it differs in all its essential features—neither imitating the miscellaneous and chaotic confusion of the first, nor the analytical and judiciary processes of the last. It will present all the most accredited and best written pamphlets upon all subjects, as they are published, but without compression or mutilation; and it will also open its repository to original compositions (under the exercise of our own judgment as to their merit) where circumstances of economy, or any other consideration, may induce a writer of competent skill to instruct or entertain his contemporaries without incurring the risk of loss on the publication; and, in this

way, we shall gladly, but not blindly, accommodate the diffident as well as the prudential.

Every man of information is aware of the avidity with which old libraries are ransacked to furnish an occasional volume of this description:—to instance only the Harleian Miscellanies—What a mine of political and other incidental knowledge is there laid open, which, like ore in the bowels of the earth, lay till their undistinguishable amid the trash and rubbish with which it was blended. But even the discovery of a treasure like this serves only to reproach us with the loss of so much more that is now utterly irrecoverable. It is but a mineral sample for the show-glass compared to the metallic abundance of the hidden matrix that produced it. The omission, however, of some means in former ages, whereby to preserve from oblivious obscurity in a compact and collective shape, the diversified labors of the pen as they severally emerged into light, argues at least for the originality of the proposal with which we now come forward, and, if not allowed to be absolutely new, it must, at any rate, be acknowledged as untried.

Yet, while we venture thus decidedly to plume ourselves both on the novelty and usefulness of our scheme, we would not be thought preposterously to have blinded our own eyes against the possibility of all objections. We admit there may be many, but such as we have actually heard, we shall here candidly recount, and studiously endeavour to counteract.

It may be said then, that our selection is, perchance, partial or ill-judged ; that the variety of copies, included in a single volume, will distract the attention of the reader, or retard his progress to information on any particular subject ; that, to force upon a purchaser four or five Pamphlets which he does not want, as the sole means of furnishing himself with *one* he may desire to see, is to levy an unreasonable tax upon his purse through the medium of his curiosity.—To all which we can only reply—that the first objection assumes what may be said of all Reviews and all Collections ; the Reader must give us credit for some qualifications for the office we have undertaken ; and, in the language of a tradesman, we hope our Customers will have no reason to be

dissatisfied with our goods. On the second charge we confine our answer to an assurance that the due and distinct classification of subjects will always be uppermost in our thoughts, and proportioned with all possible attention to the quantity and value of our materials, and the relative importance of the article discussed; and we unhesitatingly refer to the *Contents* of our first number, as the best illustration we can offer. On the third point, we cannot descend to an *argumentum ad crumenam*, without appearing either to under-rate the purchaser's property, or to doubt the liberality of his disposition.—Our publication will be proved to be on a scale of price uncommonly moderate; and its contents, although they may not all be required for the instantaneous occasion of to-day, will be such as rather to improve than become depreciated by keeping for to-morrow; and it is in fact on obviating the converse to this proposition, that we rest a considerable share of our own pretensions to merit. The man who wants but a single Pamphlet for a momentary purpose, throws it aside the next minute because it is single, and because he wants it no longer.

and thus are all pamphlets irredeemably consigned to forgetfulness and perdition: but, when he has half a dozen at once under one cover, it is become *a book*, it occupies a place upon the shelf, and its real use is discovered perhaps many years after even the quantum of its first cost is totally out of recollection.—On these three heads, therefore, of objection, we cannot but think our justification to be complete and irreversible.

Having given this comprehensive view of our plan, we think it unnecessary to expatiate further on its utility, and shall proceed to lay down the rules for its execution.

Conditions.

It will be printed with a fair open type, in Octavo.

Each No. will be published when sufficient matter is arranged, and three numbers will form one Vol. to which a *copious Index* will be affixed.

Each No. to contain from 200 to 300 pages, averaging 250. Price 6s. 6d.

Four or five Nos. will be published annually.

Each No. on the average, will contain *ten* or *twelve* pamphlets; thus *reducing the price* of each to something under *eightpence*—a saving to the public so obvious as to need no comment.

Advertisement to Authors,

AND THE LITERARY WORLD.

It is to be lamented, that many Pamphlets of infinite merit are now become so scarce as hardly to have any existence but in the fond recollection and regrets of those readers, to whom they once afforded conviction and delight. Such Pamphlets it is intended, if possible, to recover, and, when the pressure of new matter will permit, to introduce them, as aptly as we can, into our numbers. The permission, therefore, of their authors to reprint them, and an early intimation of their sentiments, respecting the proposed plan, will be esteemed an important favor;

since thus, proper care may be had, with respect to the regularity of dates and every other circumstance, to give that clear *series* and *continuation* of subjects which will constitute the leading feature of this publication.

The sentiments and suggestions which MEMBERS OF PARLIAMENT may prefer promulgating through the Press to oral declaration in the HOUSE, or which they may desire to publish for the information of their friends and constituents, after such declaration, will form a prominent feature of this Work.

Charges to the Clergy will also be admitted.

For the encouragement of rising genius, it will not be necessary that each Pamphlet received into *The Pamphleteer* bear the name or signature of the Author. But it must be understood that no Pamphlet can be inserted in this work without the permission of the author distinctly expressed either by himself, or through his publisher.

The MS. is to be delivered gratuitously to the Editor, and the proofs may, if required, be revised by the Author; but as the latter will be at no expense whatever in Printing or Publishing, it is earnestly solicited that the Copy be delivered as *correct as possible*.

CONTENTS OF No. I.

1. An Appeal to the Protestant Dissenters of Great Britain to unite with their Catholic Brethren for the removal of the Disqualifications, by which they are oppressed. *By a Protestant Dissenter.*
2. A Letter from the Rev. Mr. Wylde, to the Clergy of Somersetshire, on the Means of preventing undue Marriages, with Communications on the subject from various dignified Clergymen.
3. Dr. Herbert Marsh's Sermon on the Bible Society.
4. Dr. Herbert Marsh's Address to the University.
5. Mr. Vansittart's first Letter to Dr. Marsh.
6. Dr. Marsh's Inquiry into the Consequences of neglecting to give the Prayer-Book with the Bible.
7. Mr. Vansittart's Letter to John Coker, Esq.
8. Mr. Vansittart's second Letter to Dr. Marsh.
9. Pamphlet on the East India Company's Charter. *By Dr. Maclean.*
10. Objections to creating a Vice Chancellor of England.
11. Outlines of a Plan of Finance proposed to be submitted to Parliament. *By the Right Hon. N. Vansittart.*

No. II.

WILL BE PUBLISHED IN APRIL,

AND WILL CONTAIN,

1. Dr Marsh's Answer to the last Letter of the Right Hon. N. Vansittart, on the subject of the Bible Society.
2. Mr. Gandolphy's Congratulatory Letter to Dr. Marsh.
3. Dr. Marsh's Answer.
4. Further Communications on the subject of Mr. Wylde's Letter on the Means of preventing undue Marriages.
5. The Letters of Gracchus, with Answers to them, which originally appeared in *The Morning Post*.

AND OTHER

6. Pamphlets and official Documents for and against the renewal of the East India Company's Charter.
7. Continuation of Pamphlets on the subject of the Vice Chancellor's Bill.
8. Address to the Protestants of Great Britain and Ireland. By C. Butler, Esq. with
9. Other Pamphlets for and against Catholic Emancipation.
10. Anticipation of Marginal Notes in the American National Intelligencer on the English Declaration.

&c. &c. &c.

N. B. *The Editor begs to inform those Correspondents who have favored him with original Pamphlets, that the publication of them has been hitherto unavoidably deferred, through a desire of affording the fullest information possible upon questions of more general interest, and such as are immediately under the discussion of Parliament.*

AN
APPEAL
TO THE
PROTESTANT DISSENTERS.
OF
Great Britain,
TO UNITE WITH THEIR CATHOLIC BRETHREN,
FOR THE
REMOVAL OF THE DISQUALIFICATIONS
BY WHICH THEY ARE OPPRESSED.

BY A
PROTESTANT DISSENTER.

VOL. I.


NO. I.

A



Now 'First Printed,

February 1813.



•AN •



Appeal,

Gr. Gr.

CHRISTIAN FRIENDS,

THE awful crisis, at which we are now arrived, should call every friend of his country to the most serious and unbiassed reflection. Standing erect among the convulsions of empires, our country still seems preserved by an Almighty arm, as almost the last asylum of liberty and virtue. Still we bid defiance to the thunder that rolls at a distance, and fondly hope to survive the wreck of surrounding nations, and to renovate them by the benevolent diffusion of religion and happiness. The Christian patriot, who sees a merciful God riding in the whirlwind, and directing the storm, anticipates the dawn of light from the midst of darkness, and the purification of the world from the hurricanes that are hurling to the ground the proudest monuments of Time. His hope for his own country is not for the

extension of her unwieldy possessions, or the brilliancy of her evanescent glories—but that 'she may increase in virtue, pure religion, and internal happiness—that she may be secured by union from external dangers;—and be the means of diffusing the promised blessings of universal peace, order, and happiness, to a grateful and an admiring world.

With such feelings, my Christian brethren, you will behold with wonder and alarm a large body of your countrymen excluded from serving the State, becoming daily more uneasy under their supposed fetters, and more alienated from those who refuse to break them. When nothing but a spirit of union and harmony—nothing but an ardor, which none but freemen can ever feel—nothing but the devotion of every soul, and the kindred feeling of every heart, can insure the stability of Britain, it becomes a question of the most solemn import, whether we are to be deprived of the talents of a large part of the population—to hear their discontent rising in suppressed, but awful, murmurs—and perhaps to incur the guilt of persecution in the name of the God of Love. An empire kneeling asks for her rights—she appeals to our justice, our policy, and our faith—she points to the wounds she has suffered for us—and shall we proudly refuse to listen to her complaints, or seriously to consider her petitions?

It is with the hope of calling your attention to this important question, that I now presume to address you. The following plain arguments are not offered to the high church zealot, or flaming partizan of one establishment, which he may fear to oppose to another

of higher antiquity—not to those who are perhaps too nearly related to the Catholics to be their friends—not to the corrupt and worldly, who only care for the paltry honors of a court—nor to the intolerant bigot, who can hear of no toleration but for his own opinions—but to you, who know the value of religious freedom from its loss—to you, who profess a superiority over the world—to you, who are bound by every tie of consistency and interest to support the claims of your brethren. In addressing *you*, to enter deeply into the abstract principles of liberty of conscience, would be unnecessary; you have received them with your earliest impressions, and they beat on every string that vibrates in your bosom; enobling your best feelings, and consecrating your finest sympathies: all I shall do will be to show the bearing of this particular case on those general propositions you have so often and so nobly defended.

In order to do this as clearly and concisely as possible, I shall aim at establishing the following propositions:

- 1st. That all civil disqualifications for opinions merely religious, partake of the nature of persecution, and are as impolitic as unjust.
- 2ndly. That the opinions of the Catholics are of this description—and that they are in the same situation with ourselves.
- 3rdly. That our duty as Christians, our interest as Dissenters, and our feelings as Patriots, form irresistible arguments to induce us to support the great cause in which they are laboring.

1st. *Disqualifications for offices on account of religious opinions, is indirect persecution.*

Educated as we have been in the principles of independence and religious freedom, we recoil with horror at the idea of the puny arm of a mortal grasping the thunders of Heaven, and "clad in a little brief authority" invading the sacred province of the Almighty. We ridicule the project of laying fetters on the mind, or compelling it to receive a different train of ideas from that which it involuntarily receives. History has taught us the terrific consequences of a system more foolish than the fabled design of the Giants, of scaling the abodes of the Gods. Too well we know, that when the presumptuous pile, founded on the blood of heroic martyrs, has reached its most lofty eminence, it has sunk by its own cumbrous weight, and, like the mountains in the story to which we have just alluded, has buried its wretched and aspiring builders beneath its ruins. What is it that has defiled the purity of religion, and reduced it to contempt? What is it that has oppressed the world with ignorance, tyranny, and superstition? What is it that has polluted the altars of Christ with the corruptions of Moloch, and stained them with the blood of his followers? The desire of an empire over the conscience, of a dominion over the reason and the thoughts, and of an impious equality with the God who gave them.

If such have been the effects of bigotry, how carefully should we watch over it in its first and gentlest forms; how fearful of recognising a principle from which the most awful consequences may finally arise! Let us seriously inquire what this principle is, and

whether it always necessarily operates in chains, tortures, and death.

Religious liberty is the freedom to discuss, receive, and profess, any principles purely speculative; not only unmolested in the immediate act of worship, but unpunished for the exercise. Its grand foundation is—that no earthly power has a right to interfere with the conscience, which is the province of God alone—and that therefore all pains and penalties inflicted merely on account of difference in sentiment, are, in their nature, impious and unjust. When earthly rulers speak of *tolerating* a religion, they directly assert their right to suspend that favor when they please; and, at any time, to punish that which they now suffer. That which needs toleration by the governors of a society, must be an offence, and an offence, too, against society; and as such, though for a time it may be allowed or winked at, as contraband commerce sometimes is, it is liable, whenever the tolerating party think their policy requires it, to be punished as a crime in any way which may appease their passions, quiet their fears, or gratify their malevolence. This is exactly the state of the Catholics and of ourselves. From motives of *pure benignity*, our worship is allowed—our rulers most graciously permit the Lord of Heaven to receive our prayers—and in return for granting us as a favor what we feel to be a right, they take away part of another right; and for this kind *toleration* we are called to be thankful, and with its blessings to sit down in security and content.

Our worship is allowed on condition of our submitting to certain penalties; that is, in other words,

it is *prohibited* under certain inconveniences to be undergone by those who profess it. The case stands plainly thus—Is it, or is it not, the birth-right of every man in a free State, to aspire to certain offices, towards the maintenance of which he is compelled to contribute? Is not this as much secured to him, as his personal freedom? Is not the taking away of this right a real injury, and degradation? If, therefore, it be done on account of religious opinions, is not this as much in reality persecution, as if his personal freedom were violated for the same reason? If it be true, that Governments have a right to press upon an individual with the least inconvenience, on account of speculative opinions of one kind, they have a right to inflict positive penalties on another set of opinions they regard as more criminal: and if the exigencies of the State seem to them to require it, to visit the crimes of heresy, according to their degrees of blackness, with degradation, fine, imprisonment, and death!

Let us not then be told that we have complete religious freedom, because we can exercise our worship without immediate molestation, and that it is political power for which we are laboring. The fact is, that by our exclusion from this political power, to contend for which is the right of every good citizen, a principle is asserted on the part of those who withhold the boon, which may, at their will, deprive us of the privileges we now enjoy. While they assert their right

As actually the case with all who deny the doctrine of the Trinity.

to inconvenience, or degrade us, we have no other ground of security but their interest, or their benignity. If we, or if the Catholics, remain silent, we are establishing a claim, which, if it press not too heavily on us, may be employed in hurling to the ground the sacred blessings of our posterity.

When a late attempt was made to press this principle upon the *worship* of dissenters, the whole body of the population rose against it, and by its firmness and vigor, baffled an attempt which would have exposed the mass of them to immediate inconvenience. The remonstrances of so large a number convinced the high-church party that it was *impolitic* to enact the law. Why did we then display such unanimity and vigor? Was it because the inconvenience would be immediate, and the oppression general? And have we then no feeling but for our own individual interest—no prudent eye upon the lot of our children—no high-minded desires for the honor of our nature, for the dignity of our cause? Are we contented to oppress one small branch of the tree of intolerance, when we may lay the axe to the very foundations? Are we satisfied with expending all our vigor in lopping off a few of the luxuriant boughs, which may fructify again to oppress future ages with their pernicious shade?

Again—If it still be contended that the deprivation of obtaining the political power, which we pay to support, on account of sentiments, is no infringement of liberty of conscience, let me ask you one question—Suppose a bill to deprive us all of our elective franchise, on the same account, were introduced into

Parliament, and to place us on the same footing with the Catholics at the commencement of the present reign; would that be no infringement on religious freedom? This would still be no positive persecution; we might still enjoy our prayer-meetings and conferences—at least as long as the government thus constituted would permit us; it would still be as much a question of political power as the present. To be eligible to places of trust and responsibility—to be able to serve our country in an exalted sphere—is as much our birth-right as the choice of men to legislate for us. If our right to be chosen be taken away, our right to choose is equally liable to be wrested from us. And should we then remain silent? Should we then content ourselves with our religious assemblies, and our hopes of a better country? Certainly not. And why? It would be a deprivation that would come home at once to *every man's* bosom; it would not affect the aspiring few only, but the humble many.—Protestant Dissenters! is this your patriotism, is this your zeal for religious liberty? Have you no regard to the finer minds, who would reflect immortal honor on your illustrious body, if allowed the common chance of obtaining the prizes of pure and lofty ambition? Have you no regard to the welfare of your brethren—none to the rights of your children? Is all your zeal for religious liberty a mere desire of private convenience, without aspiring after general advantage, and future security?—If the virtuous feeling you have derived from your ancestors, be more than a wish to preserve your prayer-meetings and chapels from outrage during your own lives, come

forward manfully to petition for an investigation of the rights of your brethren, and of yourselves—to raise the dignity of your cause, and assert the purity of your motives—to stifle every party feeling and inveterate prejudice—and to raise the foundations of liberty of conscience on a basis that can never be shaken.

If you still feel any doubts of the question being really one of religious freedom—if you still hesitate to believe civil disqualifications an infringement on the rights of conscience, let me bring the matter still closer to you—let me suppose, that the Parliament, acting on this idea, refused to all Dissenters the liberty of making a will, or obliged them to pay a larger portion of taxes than their neighbours; you would not then sit still unconcerned; you would not *tolerate* the impoverishing of your families, and flying to your still protected chapels, declare that the people of God had as little to do with wealth as with power; and although starvation, servitude, and degradation, were the *penalties* of your sincerity, as long as your worship was not molested, you were bound with lamb-like meekness “to kiss the hand just raised to shed your blood.” As well might you contend, that the law allows liberty to an insolvent debtor, because it protects him to a certain extent within the walls of his own house; as that religious freedom can never be taken away by external and worldly penalties, while your meetings are defended from violence.

It is true that these are extreme cases very unlikely to occur: but they as fairly result from the principle of disqualification as the hardships of which the Catho-

lies now complain. My object has been to show that this is real persecution:—that it proceeds from the same accursed source—and may be productive of the same horrible and terrific effects:—If this proposition be established, it needs no argument to persuade a Protestant Dissenter that it is most *unjust*. Let us, however, take one simple and natural view of the subject which will tend to corroborate our preceding remarks.

Suppose government were to raise its supplies by a lottery to which all were compelled to contribute, and to confine its prizes to one particular sect of Christians—would not the proceeding be palpably unjust? But would this be more unjust than the exclusions we are deploring? As long as speculative opinions have no connection with political conduct, and do not interfere with the order of society, it would be more reasonable to give all the offices of state exclusively to men of a particular cast of countenance or shape of body, than those who profess certain peculiar sentiments respecting form and creeds; for though the excluded party might mourn most bitterly their wide mouths or flat noses, it is evident no encouragement could be given to hypocrisy; no premium to inordinate ambition; no temptation to the suppression of truth, or the prevalence of craft and turpitude.

To insist on the *impolicy* of the continuance of tests, after all that has been written and spoken on the subject, is surely unnecessary. A measure which deprives a state of the benefit of a large part of her talents and virtues—which causes the conscious degra-

• dation of a portion of her members—which irritates while it oppresses—and which causes her internal wounds to fester and imposthume—which gives a pretext to the discontented, and an encouragement to the rebellious—can scarcely be too earnestly deprecated or too firmly opposed.

If I have established the first proposition I proposed to support, and have animated my fellow-christians to claim their *own* rights, it may yet be made a question how far the Catholics are intitled to the same advantages : because it is asserted that their opinions are not merely religious or speculative, but of a nature to render them fit objects for moral reprobation. It is asserted that their oaths are not to be trusted—that their doctrines of indulgences, remissions and dispensations would instigate them to the blackest deeds—and that their general belief renders them treacherous, blood-thirsty and reckless by what means they enlarge the borders of their communion.

In answer to these terrible and horrid charges we have various kinds of evidence to adduce. In the first place it seems abundantly manifest that no sect professing and acting on such sentiments—holding the common principles of faith and honor as easily and lightly to be dispensed with—and devoutly believing that money could expiate every crime, and a few drops of holy water purify from every pollution—could possibly exist as a society. Yet these have maintained large and flourishing communities ; nor does history record a single instance of a breach of public or private faith which was justified by such an appeal. It was these gloomy and ferocious barbarians, these faithless

savages, that laid, in the ages of chivalry, the foundation of all that is courteous and honorable, all that is refined and delicate in modern society.

It is well known that the supposed objectionable tenets of the Catholics have been publicly and solemnly disclaimed, with surprise and horror, by the six most celebrated Catholic Universities in Europe.

They abjure all such ideas as that they are doing God service in the destruction of heretics—that they have no obligation to keep faith with them—and that the Pope can dispense, at pleasure, with any oaths which they may take, to advance their temporal or religious interests. Indeed the two last of these charges directly contradict each other—for if they are allowed by their faith to keep *no faith* with us, there can be no occasion either for dispensation or absolution. One single proof will be sufficient to set these two formidable and sapient accusations at rest for ever—THE PRESENT EXERTIONS OF THE CATHOLICS FOR EMANCIPATION—the very clantors which are considered by the same ingenious persons as another obstacle to their obtaining their birth-right. If indeed their efforts, their desires are directed to the destruction of our country and the subversion of our religion; and if they hold perjury no crime when employed in such a cause, they have only to employ it in order to obtain the power they are asking; and, masked in the garb of friendship, to sap the very foundations of our liberties and happiness.

That Catholics consider it a duty to injure and destroy heretics is a charge founded on misrepresentation and falsehood.

It has been publicly denied by the authority of *the Pope himself*, in a solemn rescript from the congregation of Cardinals in the name of Pius VI. June 1791. It is not only disowned by their priests, but contradicted by every part of their daily conduct, and indeed its only plausible foundation was a form of oath, which to prevent all misconception has been long omitted.

The activity and ingenuity by which many worthy persons have conjured up phantoms to terrify themselves is truly exemplary. So much indeed has a weekly paper, ¹ professing itself attached to the cause of religion, but noted only for the despicable trash with which it disgraces it, been appalled by these bloody spectres of grim Papists, that it sapiently suggests the propriety of transporting the objects of its horror to some distant island—An idea which the high church party should certainly recompense by lavishing its emoluments on the worthy editor. We shall spare but a few words more to dissipate these “airy nothings” that infest the heads of our weaker brethren, and even occasionally discompose the rest, which it is the right of every good alderman to enjoy.

The Catholics believe, it is alleged, that there is no salvation out of the pale of their own Church, and that therefore they must despise and abhor all those, whom they consider as destined to eternal misery. But unfortunately, our own establishment is founded on the very same principle—and many among dissenters draw a circle of peculiar doctrines beyond which there is “no foundation for a sinner’s hope.” But the grand objection to Emancipation with the

¹ The Instructor.

anility of our nation appears to be, that as some of the ancestors of the Catholics were persecutors and bigots, they must inherit the spirit of their forefathers : and that we are therefore bound by Christian meekness and love to persecute and degrade in return.

This mild and liberal law of visiting the sins of the fathers upon the children unto the *ninth* and *tenth* generation is at least as wise as it is beneficent. If the dark ages of ignorance and superstition—the merciless reigns of anarchy or despotism—are to be ransacked for the benign purpose of criminating those, who in this age may hold the same speculative doctrines that were professed by wretches destitute of all religion—what sect can be deemed trust-worthy or innocent ? While we survey with eager eyes those dark and dreadful times where every object appears greater from the mist with which it is enveloped, we shall find that the charge of persecution is not confined to the zealots of one persuasion. Every religion which has been armed with secular powers and associated with despotic governments in days of the ignorance and degradation of our species has been used as an engine of misery and terror. And if the Papal hierarchy is stained more deeply with blood—if her annals present more numerous pictures of martyrdom, and torture—it is only because its powers were more extensive and its temptations more numerous. If such acts produced from such times are to decide the character of a people, our judges may be considered as monsters because there was a Jeffries—our bishops intolerant because of Laud—and the kingly office itself be regarded as dangerous and terrific, because most of its pos-

sessors have disgraced and afflicted the people whom they have governed. Are the members of the Church of England willing to be considered as bigots because Cranmer persecuted the anabaptists, and are we dissenters to be regarded as revolutionary because of the Barebones, and the Cromwells? Christians of the Calvinistic persuasion! are you content to be considered blood-thirsty and faithless because the reformer, from whom you derive your name, unhappily tinged with the spirit of the times, procured the death of Servetus? If you are not willing to have his conduct imputed to you, blush for the new doctrine of imputation you have some of you sanctioned, and confess the folly of your charges.

Eheu,

Quàm temerè in nosmet legem sancimus iniquam!

Hor.

What tenet then remains in the Church of Rome, reduced as it is at present, that is not merely religious and speculative? It performs indeed the rite of absolution in nearly the same form as the Church of England—This believes in two sacraments, that in seven—the first holds that the bread and wine are changed into the body and blood of Christ—the second that *these* are “verily and indeed taken and received by the faithful in the Lord’s supper”—the former believes herself infallible, the latter has authority in all matters of faith and controversy¹—if that believes none can be saved but such as receive certain doctrines, this asserts that those who keep not others whole and undefiled without doubt shall perish.

¹ Church Cat.

² 27th Article.

—the one considers its bishops as divinely commissioned, the other its Popes and cardinals—the more ancient Church invokes the saints which her daughter most religiously keeps in remembrance—both hold it their duty to destroy heretics; but it is by restoring them to the bosom of their Church, it is as a Chinese emperor fulfilled his promise of destroying his enemies—by making friends of them.

Where now are the horrible features which the zealots of our nation have imprinted on the image of popery? Where is the doctrine which necessarily renders its votaries treacherous and unprincipled?—Are the very persons who represent the Catholics as thus ferocious and deadly, wasting millions of our treasures and the life-blood of our country in fighting for a base and murderous banditti—bound by no laws, and capable of no generous sentiments? Are we impoverishing ourselves only to conquer for wretches who would consider it as a noble effort of virtue to murder us all in return for our exertions?

Finally, if these men hold the doctrines imputed to them, we need not tremble at granting emancipation—it is indeed the only security we can have while they exist: for what power can we give them they do not already possess? It is nothing but a respect for oaths, which we declare they would consider it a virtue to violate, that hinders them *now* from aspiring to the first offices of the state. When these were openly given to them they would, at all events, be as much less dangerous than they are at present, as the highwayman is less to be dreaded than the poisoner. By refusing their claims we are adding fuel to the fire,

which, if it exist, is not less potent because concealed. By refusing them our confidence, we are doing all in our power to make them unworthy of it and to render them what we represent them to be:—and if the Catholics do not learn lessons of bigotry and intolerance from their opposers, they will be more than commonly exempt from the feelings of which they are accused.

* 3. If then the true tenets of the Catholics are in no wise hostile to the well-being of society, it is our duty as Christians, as Dissenters, and Patriots, to unite with them in obtaining the repeal of every test which yet disgraces our statute-book and our nature.

AS CHRISTIANS.—The spirit of forbearance, of concord and of forgiveness, is the grand characteristic of a Christian. Our faith is indebted to no other force than that of conviction, it knows no arms but those of the Spirit. Strange is it then that we should consider it a duty to persecute men lest they should persecute us. Strange that the disciples of him who came not to condemn but to save—who rebuked his followers for asking the thunders of heaven to confound the erroneous—who healed the wound of the high-priest's servant—who dying implored the mercy of heaven on his murderers—should think it a duty to usurp the province of God, and display the lightnings of Almighty vengeance. Our Catholic brethren are beginning to share the advantages of education and the scriptures; the last vestiges of their ancient hierarchy are crumbling in the dust—and it is alike unmanly and unchristian to insult the fallen.—If the ancestors of the Romanists stained their hands

with the blood of ours, we have a noble opportunity of evincing the spirit of our Redeemer, by embracing them in bonds of affection. In the name of the God of universal love, in the name of the spirit of harmony, peace and forgiveness, in the name of the Messiah who came to restore us all to concord and felicity—let us bind up the wounds of the distressed and overcome the errors of the deluded by gentleness and compassion.

AS DISSENTERS.—If I have shown that our own security and honor rest on our exertions for the removal of those disqualifications under which we labor, it will easily appear that between our cause and that of the Catholics a most intimate connection exists. They must stand or fall together. Unconnected with any secular establishment we have no interest to stand in the way of our duty; our path is unembarrassed and plain. To obtain the grand object of universal liberty of conscience, we who are persecuted for believing too little must join with those who suffer for believing too much—we must prove our superiority to every mean and party feeling—every cowardly apprehension—every selfish principle. We must show that we seek not private interest, but universal good—and if we cannot command success we shall have the delightful consciousness of having deserved it—we shall feel our charities enlarged and our souls invigorated by the exercise, and infuse new strength into our increasing cause. Let us dare to feel as Christians and to act as men. Let us revive the spirit of our illustrious ancestors, and acknowledging no spiritual authority but the scriptures, no master but Christ—

combat the idol of Bigotry in all its forms, and think nothing done, till we have achieved all. If the Protestant Dissenter deserts the standard of religious freedom, his consistency is lost for ever. To stand trembling is to be destroyed; to unite is to conquer; to ask is to receive; to attempt is to obtain.

As PATRIOTS.—It is, indeed, universally true that injustice must be impolitic—but in the case which we have been considering, this truth is enforced by considerations the most momentous. What madness is it to deprive the community, at this awful crisis, of the services of four millions of people, and to do all in our power to oppress them with conscious degradation—by passing a vote of eternal exclusion from the rights of Britons and of men! Shall we say to those generous minds who are exclaiming “Give us our liberties, and our lives are at your service”—to those who are willing to die in defence of our rights, that we will never grant them theirs—shall we proudly reject the consideration of the petitions of an empire, as if it were our strange policy to irritate her feelings and quicken her resentments? This is a question involving the most momentous interests of our country. It is in our power to be safe and happy, and if we reject the opportunity, the sun of our glories is set for ever. Protestant dissenters! If you value the liberties of your country, if you have any concern for your own honor, if any regard to the security of your children, if you inherit a spark of the flame which your ancestors kindled, I call on you in the name of your country, in the name of your children, in the name of your God, to unite with those who are attempting

to hurl to the dust the towers of intolerance and superstition. If you refuse, you annul the sacred charta of religious freedom which God has given you, you fix on yourselves an eternal stigma, you sign the instrument of your own degradation and slavery. If you accept the call, you have justice and heaven on your side, and in your certain success the kingdom will owe its salvation, and its glory to you.

LETTER

ADDRESSED TO THE

CLERGY OF SOMERSETSHIRE,

RELATIVE TO

Undue Marriages.




BY THE

REV. S. T. WYLDE, M. A.

DEPUTY LIEUTENANT

For the County of Somersetshire.



NEVER PUBLISHED.

1812.

LETTER,

8c. 8a

November, 1812.

SINCE the Clergy are appointed to maintain a vigilant superintendence over the welfare of Society, so far as its moral or religious conduct is concerned in this life, and its eternal happiness in the next, a member of your order is impelled, by a holy and paramount duty, to direct your notice to a growing evil, which seems calculated, without the strenuous opposition of the Clergy, to defeat the most important ends of their divine ordination.

The sanctity of the matrimonial contract has been violated, in many examples that have fallen under my observation, by the practice of abuses which call for the most severe reprobation, not only from those who are ministers of the gospel, but from all who know how to value the obligations of Religion and the dictates of morality.

Three or four churches are situated in the environs of the City of Bristol, (and perhaps it is the same in the vicinity of other large and populous towns,) where the banns of marriage are published, and the ceremony performed, without any inquiries as to the residence of the parties. The consequence has been, that morals are generally corrupted, by the facility with which inexperienced young persons can form a connexion with improper objects; and the comfort of private families is irreparably destroyed. From the opportunities which these churches afford, the following examples of flagitious conduct have occurred among the inhabitants of a small parish, at the distance of 12 miles from Bristol. In the course of a few months, one man was polluted by an incestuous commerce with his father's widow, and even succeeded in procuring the consecration of his infamy, from an unsuspecting clergyman. Another unnaturally espoused his wife's daughter; and a woman, who quitted the side of her sleeping husband, after robbing him of his property, was enabled to aggravate her crime by marrying his servant. Other instances, of a similar description, might readily be ascertained. It appears, from the marriage register books, that in parishes where the average of weddings used to be from 10 to 20, they do not now exceed two.

Besides, the secrecy with which *real* marriages may be contracted, draws a veil over the guilt of many persons, who cohabit as man and wife, without submitting to the ceremony. These couples are often unsuspected by their neighbours, who are well aware that many weddings take place without the publicity of

banns, and have no reason to conclude otherwise in the instances alluded to.

Merely to state these enormities is to excite the desire of removing them. They who, by a culpable negligence, would tolerate the commission of such acts, when pointed out; or who under any circumstances, could regard them with indifference; might in a moral point of view, be responsible in the sight of their Creator. I cannot allow myself to doubt, that your indignation will be roused, at the perusal of these deplorable facts:—that you will cordially join to promote every plan for resisting the incursions of Vice, and preventing her future ravages. It might be needless to expatiate on the long train of evils which the most casual observer must foresee; unless it were incumbent on me, as the organ of the clergy on this occasion, to submit a few observations on a subject so nearly connected with their office.

The institution of matrimony should be sedulously guarded from profanation by every well-regulated Government. The marriage sacrament should not be considered by youth, merely as the license for gratifying a transient passion, hastily kindled and not less quickly extinguished. It was meant to be administered for nobler ends. It should be held forth to the parties as a solemn engagement, mutually to cheer and strengthen each other in the path of moral and domestic duty. The man who enters into it, thereby confirms the ties which already united him to his country, as one of her citizens; and has stronger motives than before for seeking to advance her prosperity. He has given a pledge for the observance of

religion, morality, allegiance, and social order. How necessary then must it be, that he should approach the altar with a spirit refined from the influence of vice, or the taint of worldly depravity! The deluded individual will himself, at no distant time, bewail the effects of his rashness. He will find that the ardor of juvenile passion quickly palls on the sense,—that the roses of Pleasure will fade and “mock him with their bareness.” Misery, despair, and the corrosions of Remorse, await that infatuated wretch, who links himself to corruption.

These apprehensions are more than verified, in the example of younger branches of families, who become a prey to fraud or seduction, at a critical period of life; and are betrayed, from a heedless impulse, into degrading and unequal matches. I have not to learn that all are equal before our Redeemer; nor should I be urged to submit these considerations, if disparity of rank were the only cause of complaint. But experience teaches us, that in the majority of such cases, artificial and interested means are employed, to stimulate in the breasts of ingenuous youth the seeds of those passions, which inevitably bring their own punishment, if uncontrolled by reason. In devoting our thoughts to the means of preventing these nefarious practices, we do but fulfil a duty towards the subjects of our anxiety, which themselves may be willing, in the course of a few years, to acknowledge with gratitude. There are not many objects more deserving of compassion than those young persons, who have rashly united themselves to a depraved, an ignorant, or a designing partner. Behold them on the

threshold of life, eager to take their part in its pursuits, while every pleasing association of hope and fancy invites them to the prospect of futurity ! Behold them again, when somewhat advanced on their course,—exposed to the gripe of Want,—harassed by the claims of a rising family, and subjected to a cheerless round of unrequited cares,—their feelings lacerated by contention,—and chained to their misery with bonds that Death only can dissolve ! When reduced to this complication of wretchedness, will they not curse the fallacious opportunity that once they fondly grasped—which yielded them up as victims to the indulgence of their passions, before they were aware of its result ? Will they not arraign us at the tribunal of Heaven for supineness to our charge—nay, will they not have cause to do so,—unless we should now interfere to check the further progress of these flagrant abuses, and to vindicate the integrity of our awful trust, as the guardians of public morals ?

I do not wish to impute blame to the conduct of the clergy in large towns, who are in the habit of indiscriminately marrying any who may apply to them ; for the trouble of making particular inquiries would, perhaps, be incompatible with their other avocations. The odium should rather fall on those persons, who avail themselves of the facilities, which they now find for contracting profligate or imprudent marriages.

But although the clergy may be exonerated from censure, it is not less necessary that a remedy should be applied to the abuse. The hardship is so much the greater, as a clergyman who marries persons, under age, without consent of parents, or within the degrees

of consanguinity, incurs suspension for three years, and is otherwise to be punished according to the laws.

According to the present regulations, when a license is granted, the man swears that the usual place of abode of the woman, with whom he intends to be united, has been within the parish in which he means to marry, for the space of four weeks immediately last past. Why should not the man who makes application for *banns* be obliged to take the same oath? If a certificate were granted him of having taken the oath, it might be given on a stamp of moderate amount; and this, although unimportant to each individual bridegroom, might yet, in the aggregate, bring in a considerable annual sum to Government.

I rely on your candid appreciation of the motives, which have induced me to engage your attention to this subject. If the views developed in this letter should be deemed worthy of your approbation (and however feeble the advocate, they can hardly fail to obtain it from the beneficial tendency of their object), permit me to hope that you will grant me your earnest and powerful co-operation, in order to call forth the energies of the legislature. By this alone, can we expect to eradicate a system of licensed prostitution, that negligence would render more inveterate; and which threatens, unless effectually obstructed, to sap the frame of society by its baneful and pestilential contagion.

*Burrington Parsonage,
Somersetshire.*

*Original Letters and Extracts of Communications
to MR. WYLDE, on the subject of the former
Pamphlet.*



The Rev. R. D. to the Rev. S. T. Wyldc.

REV. SIR,

I find one instance of illegal connexion at R—b——w, in consequence of the facility, afforded in the neighbourhood of Bristol, of entering into a state of matrimony, without proper inquiry, and that is of a man married to his Brother's Widow.

I am, Rev. Sir,

Your very humble Servant,

R. D.

Jan. 25th, 1813.

MY DEAR SIR,

Dec. 3, 1812.

I beg to return you my sincerest thanks, both as a private individual, and as a member also of that venerable order to which I have the honor to belong, for the very handsome compliment which you yesterday had the goodness to confer on me, by transmitting to me a copy of your *excellent printed letter*, (accompanied with your polite note,) on a subject, which I conceive to be of the utmost importance, at the present critical moment, not only to the civil and religious welfare of the community at large, but even to the very *existence and stability of the Church itself, as maintained in this realm by law*. Most cordially, my dear Sir, do I as a Brother Clergyman, congratulate the whole sacerdotal body,—and most cordially, too, do I, as a private Christian, congratulate the whole of the Christian Laity of this kingdom likewise, that *some measures at least, in this holy “labor of love” and charity, are, at last, about to be submitted to the consideration of our Legislators in Parliament*. They will, I conceive, see great reason, in the course of their future discussions on this weighty matter, for *repealing the major part of the present Marriage Act, (26 Geo. II.) and more particularly for enacting some stronger and more binding ties on the parties applying for publication of banns in parishes wherein they do not reside, than those which now exist in the said Act*. And, in regard to this point, I am perfectly, my good Sir, of your own opinion; and, indeed, (I must say,) have entertained the same *myself* for many years past, that the only apparent remedy for the prevention of the evil which is so much complained of at this day in this respect, would be to oblige every person “*to take the same oath,*” *on application for banns, as he is already obliged to do if he applies for a licence*. Your addition, also, of a

stamped certificate in this case is unquestionably an improvement upon it; as *this* would afford a constant security to the officiating clergyman, as to his legally solemnizing every marriage by banns, as well as “bring in,” likewise, (as you justly remark,—and for which, by the bye, my good friend, are you not intitled, if adopted, to a premium from Parliament, as the proposer of a new tax?) “a considerable annual sum to Government.” In the little parish wherefrom I now write, and of which I have been the Rector for nearly these 19 years past, there have been but two fugitives from it, on clandestine matrimonial excursions, (as far as ever I have heard to the contrary,) from the commencement of my incumbency to the present hour. The banns were in each instance published, and the marriage ceremony completely gone through, at that infamous Gretna-Green of the West—ycleped Bedminster, without the residence, even for a single day, of either party! In both these cases, I failed not, for *my* part, to “cry aloud and spare not.” I “lifted up my voice like a trumpet” upon these occasions, and plainly “told my people their transgressions;” but alas! all to no purpose! As well might I, I conceive, in either instance, have “beaten the air,” or “struck the sounding brass, or the tinkling cymbal,” for the effect which it produced on the parties themselves, who well knew, as well as myself, that the validity of their union could not be called in question under the authority of the present statute, and that they were therefore, in consequence, amenable themselves to no tribunal upon earth, for the steps which they had (for private reasons) thought proper to take in this matter! On some other folks, however, amongst my little flock, I have great ground for believing, that my interference in the above-mentioned irregularities, happily wrought a proper influence, by deterring them, under pain of my heavy displeasure, from the commission of similar practices in their own case, and reconciling them to their own parish church, as the only fit place for joining their right hands together, and entering into

their mutual pledges (that “*πίστις μεγίστην*”—as saith the old Grecian Bard Euripides) to each other in the sacred bonds of wedlock. I would now, my good Sir, draw your attention to another desideratum, (had I not trespassed already too much upon your patience) which I think might easily be supplied in the intended Marriage Act: namely, *the allowing marriages to take place in all Churches and Chapels of Ease, indiscriminately*: belonging (of course, I mean) to the establishment, and which have accordingly been duly consecrated by the Bishop of the Diocese. But on this subject I must, for want of room here, refer you to the 1st vol. of the Ecclesiastical and University Register, p. 70—72. And it may be worth your while to look into the 2nd vol. also, p. 461. where you will find a case that will astonish you, if you have not seen it before. With every good wish to the cause in hand, which you have so laudably undertaken,

I remain, my dear Sir,

Very respectfully Yours,

T. A. S.

The Rev. R. F. to the Rev. S. T. Wyld.

DEAR SIR,

Dec. 5, 1812.

I have received the favor of your note and printed letter. I have resided so short a period of time in this country, and no instance of improper connection having occurred (to my knowledge) in either of the parishes under my care, I have no communication to make of the nature you require. I agree with you, Sir, that a stop should be put (if possible) to the pernicious practice that obtains in some particular churches in large towns, and their environs, (for I hope it is not a general custom,) of marrying indis-

criminally any parties who may present themselves, whose banns have been published. With respect to the diminution of marriages in country parishes, this is to be ascribed, I fear, more to the hard pressure of the times, than to the facility with which clandestine marriages may be contracted in towns. If every person who wishes to have his banns published, were obliged to apply to the clergyman for that purpose, to the exclusion of the *parish-clerk*, it might be attended with good effect, as the questions put by the former (supposing the applicant to be a stranger) would probably be more faithfully answered, and at all events the temptation of official emolument would be less seductive. Not having any parliamentary influence, I feel it is not in my power to further your very praise-worthy views.

I remain, dear Sir, •

With much respect, your obedient servant,

R. F.

The Rev. John Price to the Rev. S. T. Wyld.

MY DEAR SIR,

Dec. 7, 1812.

Since I addressed a letter to you on business, as a Commissioner of Taxes, I received your very correct and proper address to the Clergy, on the subject of abuses, which have long prevailed in and about Bristol, in respect to the immoral, and I think illegal, celebration of marriages. I beg you will accept my best thanks for your very laudable exertions, and I trust you will have the thanks and support of every clergyman for your endeavours to remove an evil so very generally complained of: it has existed in all the different parishes I have been, and still am, connected with, such as Worle, Kewstoke, Uphill, Rowberrow, and Bleadon; the inhabitants of those parishes *have sent in their names by carriers to Bristol, for the publication of their*

banns in the church they intended to be married in, and without a day's residence in such parish, and often within the prohibited degrees, have returned to their own parish as man and wife; the legislature, I hope, will see the necessity of interposing in this case, and put a stop to what you most justly denominate a *system of licensed prostitution*.

I have the honor to be, my dear Sir,

Yours very truly,

JOHN PRICE.

The Rev. T. Deacle to the Rev. S. T. Wyldc.

DEAR SIR,

Dec. 8, 1812.

I am favored with your friendly note, and printed letter, on a subject, the evils of which have too long reigned uncontrouled, and increasing under the present state of licentiousness and irreligion, insomuch that Government cannot withhold its best thanks for your most laudable endeavours to point out to the legislature any remedy for the benefiting society, and particularly your rendering the solemn sacrament of marriage more pure and sacred: and I conceive it would, as you observe, highly improve the security of proper junctions, as well adding to the means of detecting frauds, if the oath taken by the man included himself as well as the woman, in regard to residence, and certainly would, as you justly point out, *increase the solemnity of the Acts by taking it upon a stamp, and granting it by way of certificate*, rendering its production obligatory to any minister who marries them. But as the most inquisitive and scrupulous of the clergy may be imposed upon by the ingenuity and art of the designing, some punishment ought to attend upon the commission of those horrid connexions you have stated. Where the stock is corrupt, the seed is liable to be infected, even beyond the power of the noble institution.

now abounding, to purify. I am happy in believing my parish and cure are uncontaminated; and you may rest assured of my vigilant endeavours to keep them so; and that I shall feel extremely happy (if my signature be required) in seconding any resolutions you may deem necessary for promoting so praise-worthy an undertaking;

And remain, dear Sir,

Sincerely Yours,

T. DEACLE.

The Rev. I. F. D. to the Rev. S. T. Wyld.

DEAR SIR,

Dec. 8, 1812.

I have read your circular letter with much satisfaction, and feel thankful for your exertions in so good a cause.

I have only to refer you to my register-book to prove the shameful excess to which clandestine marriages are carried by the inhabitants of this parish.

In 1801, there were 18 baptisms, and only one marriage.

1802, 19 baptisms, 4 marriages.

1803, 17 2 marriages.

1806, 22 1 marriage.

1809, 31 2 marriages.

1810, 25 2 marriages.

1811, 26 2 marriages.

1812, 35 1 marriage.

We have had two instances of men marrying their brothers' widows. Wishing you every success in your laudable undertaking,

I remain, dear Sir,

Yours faithfully,

J. F. D.

Extracts from the Letter of the Rev. J. S. to the Rev. S. T. Wyld.

DEAR SIR,

Dec. 13, 1812.

I have great pleasure in acknowledging the receipt of the letter and pamphlet which you did me the favor of sending, and am truly glad to find that an abuse, which has been attended with so many evils to the morals and interests of society, and has so long called for the interference and reform of the legislature, has found so able an enemy, from whose most laudable endeavours a happy result must be expected. To show my reprehension of the frequent practice of people leaving their own parish to get married, I have long pursued this only mode of punishment in my power—to make the woman produce a certificate of her marriage when she comes to be churched—not to church her, or christen her child, but on a Sunday—to receive the fee of her, (if ever so poor,) and assign my reason for doing so. The population of my parish being so great, repeatedly frequent are the instances of persons going from thence to Bristol and Bedminster to be married. In my answer to the late queries of Government, I made the most pointed observations on the comparatively small number of marriages, stating your remarks of the abuses at Bedminster and Bristol, and asking if there was not a necessity for a revision of the Marriage Act, hoping through that channel to have drawn the attention of Government to the subject.

I suggest to you the case of Mr. S—r, of Draycot—his only son marrying, I believe, the servant-maid: The case of Farmer V—I—s, of Wivington, (Compton parish) marrying his niece. A few months since I published a widower, of Winscombe, to Mr. S——p—d's servant-maid, of this parish; he came to me, and insisted that I was notwithstanding bound to marry him, said he was married so before, and insolently told me, if I did not, he would go to Bedminster; he went, and was married. A strong instance of

the evil occurred in my parish—A woman, having a husband living, even in a neighbouring parish, cohabited with a man, of my parish, was married to him at Bedminster, and went by his name; was a very bad character; this man died, and left her his property. A short time after she gave the clerk a publication to another man; a friend officiated for me that Sunday, and published her: on the Sunday following, I refused the publication—they went to Bedminster and were married. Thus, through the facility of marriage at such places without residence, or any questions being put to them, this woman was not only guilty of *bigamy*, but *polygamy*. I think within the last 3 months there have been three marriages at Bristol, or Bedminster, from my parish, when neither of the parties ever lived in the parish where they were married. If you thought it necessary to support this clause you wish to have inserted, I would write to two members, particular friends, Sir William Guise and Robert Morris, of Gloster; but surely it will plead strong enough of itself. If I should collect any further and stronger cases, I will communicate them to you immediately. Wishing every possible success to the cause, of which I think there can be no doubt,

I am, dear Sir,
Your most obedient humble servant,
J. S.

The Rev. R. H. to the Rev. S. T. Wyld.

REV. SIR,

Dec. 14, 1812.

Your favor reached me yesterday, for which I return you my best thanks, and I sincerely hope you will be supported by the legislature to eradicate an evil so universally prevalent at this time. I am informed there are in this extensive parish, five to one, who say they have been married

at Bristol; but whether they are actually united, is not in my power to ascertain. I know at present but of one, who has disregarded his affinity, by taking to himself his sister's daughter. Should I by inquiry find out any others equally culpable, I shall deem it my duty to trouble you again upon the subject.

I am, Rev. Sir, yours respectfully,
R. H.

Extracts from the Letter of the Rev. . B. C. to the Rev. S. T. Wylde.

DEAR SIR

Dec. 14, 1812.

I should have acknowledged the receipt of your kind note, with the letter annexed, sooner, but that I am anxious to give you every assistance to corroborate the facts relative to the illegal proceedings practised in the parish churches in the vicinity of Bristol; and conceiving that the revision and amendment of the *Marriage Acts* will not be brought forward immediately, I wish to gain every information, and every substantial document, that may tend to the accomplishment of the laudable and humane cause you have so generously engaged in.

That you may not think I have lost sight of this important matter, I beg leave to say, that on Thursday last my friend and worthy Vicar, the Rev. J. R—h—ds, Curate of St. M—h—l's, Bath, called on me at Wedmore, and I took the opportunity of putting into his hands the letter on the subject alluded to.

After perusing it, he was struck with astonishment at the purport of it, and immediately observed, "I hope your friend has transmitted one of his letters to the Bishop"—and then added, "I do not doubt but what Mr. Wylde has mentioned respecting similar acts being practised in other

large and populous places or cities, may have been incautiously done in Bath."—And adds, "I wish you had two or three, or more, of these letters in your possession; that I might distribute them to the Archdeacon, who is my Rector, and other parochial priests in Bath, and its neighbourhood."

After this, I could not hesitate in desiring he would accept the one I had received from you; at the same time telling him, that I was not afraid of incurring your displeasure at parting with it, and that I trusted I should be able to procure more for him, and all our true, religious, well-disposed brethren in and out of Bath, who must see the fatal consequence to society, if a stop is not put to such monstrous and abominable practices.

I remain with due respect,

Your much obliged friend, and humble servant,

W. B. C.

The Rev. J. Y. to the Rev. S. T. Wylde.

DEAR SIR,

Dec. 19, 1812.

I most heartily wish success to your cause. I have had too many persons of my parish married at Bristol, but the only *illegal* marriage I have to furnish you with, is that of a reputable farmer's widow, of this parish, going to Bristol, soon after her sister's death, with her brother-in-law, of Lympsham, and marrying him, although he had a family by her sister living at the time.

They live now at Lympsham, and have had a *child*, which, according to a late decision of Sir W. Scott, is a *bastard*.

Mr. S—v—n, of Lympsham, will, I apprehend, represent the same case, when you will attach the case either to my parish, or his, as you choose.

May God bless you and yours.

I am, dear Wylde, yours faithfully,

J. Y.

Extracts from the Letter of the Rev. J. V. to the Rev. S. T. Wyld.

REV. SIR,

Dec. 21, 1812.

I sincerely hope you will succeed in the important object you have in view, an object with which the peace of families, and the morality of our neighbourhood are most intimately concerned. I am happy not to have witnessed cases of equal enormity to those you mention in your letter, but yet I can refer to several instances, which have led me most seriously to deprecate the evil which you are seeking to prevent. Upon calling on one of my farmers some years ago, he, with some agitation, told me, that the church bells had just, for the *first time*, informed him, that his son *had been married two days before in Bristol*. The daughter of my clerk chose this *clandestine mode of marriage* also, and though a girl of virtuous character, yet, from ignorance, made a brothel her home for many days. A man and woman, of the rank of farmers, lived together in this parish for some years, when it was generally thought they were *not married*. They at length produced a marriage certificate from a Bristol register, but its date was subsequent to the time when it is supposed their cohabitation began. An instance not very dissimilar to this has occurred here within the last few months. I need not trouble you with the inferences from these facts. They are obvious to every mind, and they certainly show, that your present undertaking has a very strong foundation.

In addition to the above-mentioned instances, I should say that, on coming to this parish, I found the miller *had two wives*. I could never ascertain the precise circumstances of the two marriages, but I have always thought, if the *banns* had been published in the parish of each woman respectively, that the *man* could never have perpetrated this crime.

I have the honor to remain, Rev. Sir,

Your most obedient servant,

J. V.

The Rev. J. H. to the Rev. S. T. Wylde.

DEAR SIR, •

Dec. 23, 1812.

I was favored with your kind letter, Monday last, and highly pleased with the sentiments you have so nobly introduced on the subject of an *increasing evil*, that seems to require the immediate interference of Parliament; and doubt not but your exertions on the occasion will at least call forth the thanks both of the Clergy and Laity. It has for many years been the custom of the *lower order* in this parish to visit Bedminster, or Bristol, for marriage, *without any legal residence* previous to publication, which practice I at first attributed to the neglect of duty which could not be avoided, in consequence of the number of years it took in rebuilding the church, but on inquiry I found it to be the general system of the surrounding parishes. It is at present going farther, not barely confined to the laboring poor, but the children of respectable tradesmen and farmers, have taken the same course, and *that* at so early an age as 17 or 18, which has occasioned great distress of mind to parents, and a prospect of unhappiness to themselves, as well as want and misery to posterity. I have generally in the course of the year, in my parish, one marriage, seldom a second, which in a parish so large and populous, I apprehend, if *all* were consummated at home, might amount at least to eight or ten. The method, Sir, you have laid down, appears the *most suitable* to prevent improprieties of this nature in future, and that it may have this effect, and the friend of the *rising generation* a PROPER REWARD, is the hearty wish of,

Dear Sir, your obedient servant,

• J. H.

The Rev. W. L. to the Rev. S. T. Wyld.

MY DEAR SIR,

Jan. 5, 1813.

I have received your circular letter, and beg to add my tribute of thanks for having taken up a subject, which more or less must create an interest in every parish in this neighbourhood. The complaint of a general diminution of *home marriages*, is, I believe, universal. Couples appear without any account *how* or *where* they were united. This, as you observe, may "draw a veil over the guilt of many, who cohabit as man and wife, without submitting to the ceremony;" and may tend to the subversion of religious and moral institutions, as well as to the fatal increase of vice and depravity. I can only assure you, that in my own parish, the population of which, during the last 14 years, has increased one-third, the number of marriages has decreased from about 10 to 4.

Although the multiplying of oaths is perhaps not desirable, yet it appears, that some such plan as you suggest, on applications for banns, might prevent the complete evasion of *residence*, which the situation of every large parish may at present afford.

I shall be ready to concur in any further step to this purpose, and am,

Dear Sir, yours most sincerely,

W. L.

The Rev. C. A. to the Rev. Mr. Wyld.

MY DEAR SIR,

Jan. 18, 1813.

Your excellent and much wished for letter, richly deserves my humble thanks. The subject is one that this neighbourhood loudly called for, as the pangs arising to parents, from the frequency, and flagrancy of the violation of the Marriage Act, are increasing.

I have been resident in this parish (you know) but a short time, and therefore cannot give you many grievous examples. My predecessor, the Rev. Mr. P—e, doubtless can, for I have heard of them; but the applications from many respectable inhabitants of my parish for the suppression of the present opportunity many indiscreet young persons now take to marry, have been numerous. I shall only relate one circumstance that has occurred since my short residence here, and conclude with sincerely hoping your laudable and praise-worthy exertions will be crowned with success.

About a month since, a young man and woman, both of age, left this parish (I believe) on a Friday; they returned the Monday following, the latter asserted they were married in Bristol, the former in the negative: they now live together, and the woman will soon be confined. The fathers of both I have seen within this hour; they are quite ignorant, even now, whether they are married or not, but so, I assure you, most grievously complain of their children's treatment, and fervently hope a speedy and effectual prohibition will take place.

In unison with their feelings, I have the honor to subscribe myself

Your sincere friend,

C. A.

The Editor will be happy to receive any new communications relative to the subject of the preceding Pamphlet, as the publication of additional instances will tend to advance the laudable cause, in which Mr. Wylde is engaged, and which will speedily come before Parliament.

THE NATIONAL RELIGION THE FOUNDATION
OF NATIONAL EDUCATION.

A
SERMON,

PREACHED IN THE

Cathedral Church of St. Paul's, London,

ON

THURSDAY, JUNE 13, 1811 :

BEING THE TIME OF THE YEARLY MEETING OF THE CHILDREN
EDUCATED IN THE CHARITY-SCHOOLS IN AND ABOUT THE
CITIES OF LONDON AND WESTMINSTER.

TO WHICH IS ADDED,

A COLLECTION OF NOTES,

CONTAINING

PROOFS AND ILLUSTRATIONS.

BY HERBERT MARSH, D.D. F.R.S.

MARGARET PROFESSOR OF DIVINITY IN THE UNIVERSITY OF CAMBRIDGE.

ἮΕΡΑ ΤΑ ΠΑΤΡΙΑ ΤΙΜΙΩΣ.

A

SERMON,

&c.

PROVERBS, XXII. 6.

Train up a child in the way he should go : and, when he is old he will not depart from it.

WHEN our religious Reformers had introduced the system of doctrine and discipline, which is now established in this kingdom, their next endeavour was to perpetuate that system by an *education* adapted to it; by training up the children *in the way they should go*, that, when they were old, they might not depart from it. Though convinced, on the one hand, that its tenets, as conformable with Scripture, therefore rested on a solid foundation, yet knowing on the other hand, that, if truth is not instilled at an *early* age, its place will be occupied by error, they wisely determined to intermix with the first elements of education the principles of that faith, which they themselves believed to be true. Thus the prudent parent awaits not the age of maturity, that his child may determine for himself, but, as soon as reason begins to dawn, inculcates *such* principles of moral conduct, as, in the opinion of the *parent*, will best contribute to the happiness of the child.

Our Reformers therefore deemed it expedient, at the *first* Christian Office of which we partake, the Office of Baptism, to introduce an *Exhortation* to the Godfathers and Godmothers of the baptized infant, not only reminding them of the "solemn vow, promise, and profession," which they had made in his name, but requiring at their hands that the child be instructed in those things, "so soon as he shall be *able* to learn" them. It is required at their hands that he learn, not only the Lord's Prayer, and the Ten Commandments, but the CREED, "and *all other* things which a Christian ought to *know and believe* to his soul's health." They are then admonished "to take care that this child be brought to the Bishop, to be confirmed by him, so soon as he can say the Creed, the Lord's Prayer, and the Ten Commandments in the vulgar tongue, and be further instructed in the CHURCH CATECHISM set forth for *that purpose*." Immediately after the Forms of Baptism, this Catechism is inserted as a part of the Liturgy; and is there termed, "An instruction to be learnt of *every* person before he be brought to be confirmed by the Bishop." In the rubrics annexed to it, the Curate of every parish is enjoined to instruct and examine openly in the Church, on Sundays and Holidays, "so many children of his parish, sent unto him, as he shall think convenient, in some parts of this Catechism." Parents are enjoined to send their children, and masters even their servants and apprentices (if they have not learnt their Catechism) "obediently to hear and be ordered by the Curate, until such time, as they have learnt all, that is here *appointed* for them to learn."

From this short statement, it appears that our Reformers themselves laid at least the *foundation* for a system of Religious Education, to be conducted under the superintendence of the *parochial clergy*. And to afford

additional security, that this Religious Education be conducted according to the doctrines of the Church of England, it was enacted by the seventy-seventh Canon,¹ that every Schoolmaster should not only be licensed by the Bishop of the Diocese, but previously subscribe to the Liturgy and Articles. And this Canon was confirmed by the Act of Uniformity;² which requires every Schoolmaster, both to obtain a License from the Bishop, and to declare that he will “conform to the Liturgy of the Church of England, as now by law established.” Lastly, by the seventy-ninth Canon, all Schoolmasters are enjoined, not only to use the *Catechism*, but to bring their scholars to their parish CHURCH.

The plan therefore of conducting a *Church-of-England* education is very clearly prescribed, and prescribed also by authority. Now the Liturgy, the chief of this authority, is confirmed by the law of the land: it is the Repository of the Religion “by law established:” and the Religion *by law established* must always be regarded as the *national* Religion. But in every country the national Education must be conducted on the principles of the national Religion. For a violation of this rule would involve, not only an absurdity, but a principle of self-destruction: it would counteract by authority what it enjoins by authority.³ No

¹ Compare this Canon with the 36th, to which it refers.

² Sect. 8—11.

³ Hence, in all countries, both ancient and modern, the Religion of the state has been the basis of Education for the citizens of that state. In other words, the National Religion has been made the foundation of National Education. Thus, in countries where the Church of Rome is established, the children are educated in the doctrines of that Church: where Lutheranism is established, they are educated as Lutherans: where Calvinism, as Calvinists. And this education is not left to the will of the teacher, but is prescribed by the

education therefore in *this* country can be entitled to the appellation of *national*, where the Liturgy is discarded, or where the children attend not the service of the Established Church. Indeed the parochial and charity schools, which were either founded or new modelled after the Reformation, were *invariably* conducted in such a manner, as to educate the children for the national religion. They were trained in habits of affection for the Church, of which they were members; they were taught to revere its rites and ordinances; and regular attendance at the parish Church on the Sabbath day was no less required, than attendance at the parish school on other days. Had this system of *parochial education* been carried to a greater extent, or had it been more generally retained, the defection from the established Church would never have been raised to its present height. The good effects of this system in Scotland, on the religion *there* established, is known to every man, who is acquainted with that part of our island. The same system prevails in the Protestant countries on the continent: but no where more completely than in Saxony, where the village schoolmaster has a regular *endowment*, where their appointment or confirmation depends on the Court of Con-

laws of the respective countries, and is, therefore, *national* education. In the ancient governments of Greece and Rome, the same care was taken to educate the children for the religion of the state. Indeed, at Athens, though the seat of philosophy, the youth were not only taught to revere the religion of their country, but, before they were admitted to the privileges of a citizen, were required to take a *solemn oath*, that they would be faithful, as well to the *sacred*, as to the political and military institutions of their country. The form of this oath is preserved by Stobæus, (Serm. xli.) and may be seen in Potter's Antiquities, B. i. Ch. 26. or Warburton's Works, vol. iv. p. 231. A part of this oath was 'ΙΕΡΑ ΤΑ ΠΑΤΡΙΑ ΤΙΜΗΣΩ. "*I will revere the national religion.*"

sistory, and where the parochial clergy superintend and direct them.

Before I proceed, it is necessary to observe; that the arguments in this Discourse are not designed as arguments for restraint on those, who *dissent* from the Established Church. Our Liturgy applies not to the members of *other* churches; our canons affect no other clergy, than the clergy of the establishment: and the Act of Uniformity was intended only as an act of *security* for the Church of England, not as an instrument of *compulsion* to become a member of it. The members therefore of *other* churches in this country, being bound by no such conventions, *retain* the natural right, not only of worshipping God, but of educating their children, in their own way. And this natural right is confirmed by the Act of Toleration united with other Acts in favor of religious liberty. Nor are the Clergy of the establishment at all desirous of abridging the freedom of religious opinion and worship, which is exercised by men of other persuasions. The Dissenters therefore have full liberty of applying their *own principles* to their *own education*. And indeed they act *wisely* in promoting that, which is best adapted to their own purpose.

But do the members of the Establishment show the *same* wisdom with the Dissenters, in promoting plans of education, where no provision is made for the national religion, where the Liturgy is disregarded, or where it is a matter of indifference, whether the children on a Sunday frequent the Conventicle or the Church? Is such conduct consistent with the "solemn vow, promise and profession," which we *make* at our Baptism, and *renew* at our Confirmation? Do we act consistently, if, while we *profess* to "believe all the Articles of the Christian Faith," we encourage a system of education, from which those Articles of Faith are *excluded*? Can the Clergy especially, who not only *sub-*

scribe to the Liturgy and Articles, but even hold their preferments by this *very tenure*, conscientiously support any other than a *Church-of-England* education? Can they do it without *betraying* the cause, which they are pledged to *defend*?¹ It may indeed be asked, whether *every* man, from the lowest to the highest, who holds an office of trust or power, whether religious or civil, which he could not have obtained but by *professing himself a member of the National Church*, is not bound by such profession, if not only openly to discountenance, at least not openly to promote, a system of education, from which *the National Religion is discarded*.

Liberality and philanthropy are terms indeed of seducing import; and no man, who possessed the faith of a Christian, or the morality of a Heathen, would recommend the reverse of either. But like other virtues they have their *limits*: and if those limits are passed, the good may be outweighed by the concomitant evil. What is more amiable, more endearing, than charity to the poor? What exercise can excite a nobler gratification, than to distribute what we can afford to the indigent and the afflicted? But if we starve *our own* children, to feed the children of the *stranger*, our charity is converted into cruelty: we neglect a primary, to perform a secondary, duty.—Benevolence to all mankind, even love to *our enemies*, is a duty incumbent on every Christian: but we must not therefore promote the

¹ Though the Toleration Act, with an Act passed in the nineteenth year of his present Majesty, gives full liberty in this respect to *Dissenters*, and though dissenting schoolmasters, provided they *qualify* as such under the last-mentioned Act, are free to inculcate their *own* religious opinions, yet no such Acts apply to the members of the establishment. Indeed, it would be preposterous for those men to plead an Act of *Toleration*, who have solemnly bound themselves to the doctrine and discipline of the *Church of England*.

cause of our enemies to our *own destruction*. Foes, as well as friends, when objects of compassion, are entitled to our regard : but, if they are possessed of *power*, and that power is exerted *against us*, no duty, either moral, or religious, can require us to increase it. Nor should we forget that there are *degrees* of attachment, no less warranted by political justice, than by natural feeling. It is consistent with *both*, to love one's own family, or one's own country, more than another family, or another country. It is consistent with *neither*, to preach that *universal* philanthropy, which excludes from its wide embrace both *paternal* and *patriotic* affection.—If this philanthropy be applied to religion, it is equally capable of abuse. Hard indeed must be the heart of that man, and poor indeed his understanding, who can see a fellow-creature in distress, and coldly ask, before he relieves him, to what *religion* he belongs. Whether a Jew or a Samaritan, a Christian or a Turk, it is a *human being*, that wants our assistance : and if we refuse it, because our *religions* are different, we bring disgrace upon our own. But this principle of general benevolence, which in some cases requires us to disregard religious distinctions, applies not, where *duty* interferes in behalf of *our own* religion. For, as no philanthropy can warrant the neglect of our own *family*, or our own *country*, so no philanthropy can warrant the neglect of our own *religion*. When our philanthropy affects our family, our country, or our religion, it loses its genuine character, and becomes a weakness, or a vice, instead of a virtue.

II.

It is well known, that a system of education, conducted by a very intelligent and active Dissenter in this country, a

system, in which, of course, as he himself conducts it, the doctrine and discipline of the Church of England form no part, has, during the last seven years, received very extensive patronage from men of *all* ranks and professions. This system he conducts on the avowed principle, that "*education ought not to be subservient to the propagation of the peculiar tenets of any sect.*"¹ Hence no other parts of Christianity are there professed, than what he terms its "*uncontroverted principles.*"² Whether our religion, when thus curtailed, does not lose the character of Christianity *altogether*, or whether enough of it remains to satisfy the demands of any *other* religious party in this

¹ These are Mr. Lancaster's own words in the Introduction, (p. viii.) to his work, entitled '*Improvements in Education.*' It is obvious from the general tenor of this Introduction, that the word "sect" is there applied, as well to the *established*, as to the *tolerated* religions in this country. N. B. The edition from which I now quote, is the *sixth*.

² Mr. Lancaster, speaking of his school at p. 25, says, "This school is not established to promote the religious principles of any particular sect; but setting aside all party distinctions, its object is to instruct youth in useful learning, in the leading and *uncontroverted* principles of Christianity, and to train them in the practice of moral habits, conducive to their future welfare, as virtuous men and useful members of society."—Though I have no concern at present with the *last* clause of the sentence, I have quoted the whole, lest it should seem, that I designedly omit what is in Mr. Lancaster's favor. I am as ready, as any man, to allow that he educates his scholars in "moral habits." But *moral* habits alone are not sufficient: children should acquire also *religious* habits; and this is the point, for which I contend in the present discourse. The question is, whether the persons, whom Mr. Lancaster proposes to make "useful members of society," will become *so* useful, as members of society in *this* country, by being trained to moral habits, as they *would* be, if, beside the acquisition of the *habits*, they were taught to found those habits on the principles of that religion, which is *established* in this country.

country, it is certain that the doctrines of Christianity as taught by the *Church of England*, have no admission there. That *Dissenters*, therefore, Dissenters of *every* description, should join in promoting *such* a plan of education, is not a matter of surprise. To supersede the parochial and charity schools, which our forefathers had founded on the maxim in the text, of training up a child in the way that *he should go*, and to raise up seminaries in their stead, where the children should *not* be trained in the way of the Established Church, was to *them* an advantage, too obvious to be overlooked. If no predilection for any *peculiar* sect was thereby excited, *one* point at least was gained, and that an *important* one,—that the children educated in *such* seminaries would acquire an *indifference* to the establishment. And not only indifference, but *secession* from the Established Church will be the final result.

Education, on *whatever* principles it be conducted, must have *some* influence, either favorable or unfavorable, on the established religion. Even neutrality, however strictly observed, is in *this* case a kind of hostility. It is *hostility* to the Establishment, to deprive our children of that *early* attachment to it, which an education in the Church cannot fail to inspire, and which, if lost in their *youth*, can never after be recovered.¹

¹ Aristotle has well observed, that nothing contributes so much to the *permanency* of an establishment, as *education* for that establishment: and he at the same time complains of the neglect, into which this necessary maxim had even then begun to fall. Μέγιστον δὲ πάντων τῶν εἰρημένων πρὸς τὸ διαμένειν τὰς πολιτείας, οὗ νῦν ὀλιγοῦσι πάντες, τὸ παιδεύεσθαι πρὸς τὰς πολιτείας. And he adds, that no laws will avail without an *education* in the establishment, εἰ μὴ ἔσονται εἰδισμένοι καὶ πεπαιδευμένοι ἐν τῇ πολιτείᾳ. Aristotelis Politic. Lib. v. p. 150. ed. Francofurt. It is true, that Aristotle is speaking immediately of *civil* establishments; for he continues, εἰ μὲν οἱ νόμοι δημοτικοί, δημοτικῶς· εἰ δ' ὀλιγαρχικοί, ὀλιγαρχικῶς. But the maxim applies equally to establishments of *every* description, whether

If this loss were *compensated* by any solid advantage, obtained by that neutrality for the *general* cause of religion, we should have less reason to lament the injury, which we ourselves sustain. But no such advantage can be expected from such neutrality. For there is *less* probability, that men will finally embrace the truth, if their education dismisses them *unattached* to any particular religion, than if they had been educated in some *religious system*. Among the persons dismissed in this state of *supposed impartiality*, how small must be the number of those, who will have the leisure, the inclination, and the ability, to weigh the arguments for *religious* opinions! And when we further consider, that the question now relates to persons educated in schools of public charity, an union of those qualities in *such* persons can *never* be expected. But if those qualities are *wanting*, there must also be wanting the knowledge, and the judgment, which are necessary to direct men in the *choice* of their religion. In such circumstances, they will either choose *no* religion; or, if they choose *any*, it will be mere *accident*, that they fall on the *right* one. Instead therefore of *advantage* from that neutrality, we may certainly expect the reverse.

civil, or religious, or mixed. Other passages in Aristotle's Politics, on the importance and the effects of education, may be found by consulting Dr. Gillies' Index to his English Translation. Art. Education.

¹ These arguments will not be obviated by the excuse, that Mr. Lancaster's professed neutrality leaves the children at liberty to learn religion, either from their *parents*, or at those *Sunday-Schools*, to which their parents may choose to send them. For the parents of children, who are objects of public charity, are for the most part *incapable* of teaching religion to their children. And, if they send their children to a *Sunday-School*, according to their own persuasion, the *peculiar* doctrines, which the children will hear *one* day in the week, can hardly make a lasting impression, when they are continually hearing of *generalized* Christianity during *six* days in the week. Where children go *daily* to

But the neutrality *professed* is virtually disregarded, and hence *indifference* to our religion, which the mere circumstance of *not being brought up to it* cannot fail to produce, is not the *whole* extent of the evil to be apprehended from this system. Indeed neutrality in religion it is hardly *possible* to maintain. If we *adopt* a creed, we cannot expect that *all* parties should agree to it. If we adopt *no* creed, we differ from *all* who *have* a creed. We cannot be negative in respect to *Creeds*, without positive opposition to those who *maintain* them. But the Educator in question has formally declared, that he objects to *Creeds in general* : and he has declared it in the work, which is intended to describe his *plan of education*.¹ His scholars therefore, who neces-

school, the religion which they are afterwards to profess, should be an object of *daily* attention. They must *learn* their religion as they learn other things : and they will have much or little, according as their *education* supplies them. To assert, that our religion is not dependent on our education, is to contradict the experience of all ages and nations.

¹ Mr. Lancaster, in his Introduction, p. ix. says. "I feel a fervent wish, as every friend to mankind must, that *names* may perish, but truth prosper." In p. x. he says, "In the spirit of sect and party it is the object, though often blended with something better, to exalt a peculiar *creed*, to establish a *name*," &c. In p. xi. he has a passage, which explains what he means by *names*. "Then the solicitude would not be to make men nominal *Catholics* or *Protestants*, *Churchmen* or *Dissenters*, but to exalt by precept and example the beauty and excellency of our holy religion. The desire would not be the increase of proselytes to *this name*, or *the other*, but to the only name given under Heaven, whereby mankind can be saved, the name of Jesus, to which all must bow in mercy or in judgment." Having explained what he means by the *names*, which he wishes may *perish*, he adds, at the bottom of the page, "I long to see men, who profess Christianity, contend not for *Creeds* of faith, words, and *names*, but in the practice of every heavenly virtue." Mr. Lancaster, therefore, must *long* to see the Church of England abandon her *Creed* and her *Name*. Whether "the practice of every heavenly virtue" would be promoted by such abandonment, is a question, which I need not examine.

sarily imbibe the sentiments of their master, will soon acquire a contempt of the *national* Creed. The Office of Baptism, where the learning of it is enjoined; and the Office of Confirmation, where the knowledge of it is required as an indispensable *condition*, will soon be regarded as the rites of bigotry and superstition. Can the result then of *such* an education be doubtful? Will the children *thus* educated, have to *choose*, when they come to years of discretion, whether they shall be Churchmen, or not? No! They will long before have decided *against* the Church.

When we further consider, that this system of education has in *other* respects so much to recommend it; that the *mechanical* part has advantages, which no other system possesses; that reading, writing, and arithmetic are taught by it, under *one* master, to *hundreds* of children, at a moderate expense; that these useful arts are learnt also in so *short* a time, as to leave ample leisure for *manual labor*, which in charitable institutions is so usefully combined with the acquirement of *knowledge*; and when we consequently consider, that *such* a system is both likely to meet, and actually *does* meet with almost general encouragement, we must clearly perceive that, if the system is accompanied with such *religious* instruction, as is calculated to create indifference, and even dislike to the *established church*, the most powerful engine, that ever was devised against it, is now at work for its destruction.

¹ In the Monthly Magazine for May, 1811, among the Provincial occurrences of the preceding month, no less than *eight* new Lancastrian Schools are mentioned. The establishment of the Lancastrian school at Northampton, is related in the following words, p. 389: "In consequence of a lecture, delivered by Mr. Lancaster, at Northampton, some time past, a town-meeting was called, and the respectable inhabitants, in a most *liberal* manner, came forward with a subscription, to set up a school, in which *bigotry and intolerance should have no share*."—Both

III.

It is a consolation, however, to know that the *religious* part of this system is neither an *essential*, nor even an *original* part of it. The admirable *mechanism* of this system, of which the inventor, in the opinion of an enlightened magistrate, “deserves a statue to his memory,”¹ was originally combined with the doctrines of the *established church*; and these doctrines were not detached from it, till it was *adopted* by that active and intelligent Dissenter, who brought it into general circulation. It was *invented* more than twenty years ago by a Clergyman of our own Church, who also first *practised* it, and practised it *with great success*, in a public institution at Madras.² It rests on the simple principle,

the meaning and the tendency of such language, from *whatever* quarter it may proceed, are too obvious to need a comment. There is a very just remark in Mr. Lancaster’s own book, at p. 185. “that if any particular sect obtained *the principal care in a national system of education*, that part would soon be likely to possess the greatest power and influence in the state.” Suppose then that Mr. Lancaster obtains “the principal care in a national system of education,” what is to become of the religion *now* established? If *already* its doctrines are called bigotry, and its constitution intolerance, what must be its fate, if the “*power and influence*,” arising from education, should be *wholly* withdrawn from it?

¹ See p. 14. of A new and appropriate system of education, for the laboring people. By P. Colquhoun, L.L.D. 1806.

² “The new method of practical education, which has appeared under different shapes in this country, *originated* in the Military Male Asylum, founded at Madras, in 1789. There it gradually grew to *maturity*, and, after the experience of several years, was established in *all its forms* in that school.” See p. 1. of Dr. Bell’s Madras School or Elements of Tuition. London 1808. “The nation is indebted to the *genius, the ability, and persevering industry* of the Rev. Dr. Bell, late Superintendent and Director of the Male Asylum at Madras, in the East

which, indeed, may be variously modified, of "Tuition by the Scholars themselves." The ingenious inventor, on his return to England, having explained the principle and the application of it, retired to his parochial duties, ready, indeed, to afford information and assistance to all who desired it. Of this information and assistance, that intelligent Dissenter, by his *own acknowledgment*, availed himself. And by the application of talents, which cannot be disputed, he gave such extension to the principle, as excited, and *justly* excited, general admiration. Having attracted the notice, and en-

Indies, now Rector of Swanage, in Dorsetshire, for a most enlightened plan of education for the poor, which he some time since disclosed to the public, and for which he deserves a *statue to his memory*." See the place referred to in the preceding note.—"To him (Dr. Bell) the world are *first* indebted for one of the MOST USEFUL DISCOVERIES, which has ever been submitted to society." Mr. Whitbread's Speech on the Poor Laws, Feb. 19, 1807. Note A.

¹ In a pamphlet printed in 1797, entitled, "An experiment in education, made at the Male Asylum at Madras, suggesting a system, whereby a school, or family, may teach itself under the superintendence of the master or parent."

² Mr. Lancaster, in the *first* edition of his work, which was published in 1803, says, at p. 45: "The institution, which a benevolent Providence has been pleased to make me the happy instrument of bringing into usefulness, was *begun* in the year 1798." Now this was *nine* years after Dr. Bell began his system, and *one* year after he had published the account of it in London. But when Mr. Lancaster *began* his school, he appears to have acted in the common manner; or at least not according to the *new* method. For at the close of his first edition, he says, "I much regret, that I was *not acquainted* with the beauty of his (Dr. Bell's) system, till somewhat *advanced* in my plan: it would have saved me much trouble, and some *retrograde* movements. As a confirmation of the goodness of Dr. Bell's plan, I have succeeded with one nearly *similar*, in a school attended by almost three hundred children." It was probably in 1802, that Mr. Lancaster adopted Dr. Bell's method: for in *that* year he corresponded with, and visited, Dr. Bell, at Swanage, where "every requisite instruction toward forming a school on the Madras System, and upon a great and extended plan, was af-

gaged the patronage, of many distinguished characters in the metropolis, he was soon invited to found seminaries in other places of this kingdom. It is true, that the *religious* part of the system had, in the mean time, and under his hands, undergone a complete alteration; the Doctrines of the Church of England having been *superseded* by a few general maxims, which, it was *supposed*, might serve as a basis for Christianity under *every* form.¹ Whether the apparent *liberality* of this plan seduced the members of the church; whether they regarded only the *mechanism* of the system,

forded him." See the British Review, No. I. p. 193. A few lines before the passage last quoted, Mr. Lancaster says, "I ought not to close my account without *acknowledging* the obligation I lie under to Dr. Bell, of the Male Asylum at Madras, who so nobly gave up his time and liberal salary, that he might perfect that institution which *flourished greatly* under his fostering care.—Dr. Bell had TWO HUNDRED BOYS, who instructed themselves." See more extracts containing Mr. Lancaster's acknowledgments on this head, in a printed paper, entitled, "New System of Education," printed by C. Squire, Furnival's-Inn-Court, and distributed by the patrons of the Clergy Orphan-School. These acknowledgments it is the more necessary to preserve, as Mr. Lancaster, in his later editions, has *withdrawn* them. But that the merit, not only of the *invention*, but of the *first successful practice* of it, is due to Dr. Bell, is proved by documents, which cannot be questioned. See Dr. Bell's Madras School, p. iv. p. 125—242.

¹ "The grand *basis* of Christianity *alone*," says Mr. Lancaster, p. 184, "is broad enough for the whole bulk of mankind to stand on, and join hands as children of one family. This *basis* is, Glory to God, and the increase of peace and good-will among men." This may be a basis perhaps for *natural* religion, but it cannot be a basis for the *revealed doctrines* of Christianity. It is a downright contradiction to call that the *basis* of a religion, which contains not those principles, which *distinguish* that religion from other religions. "Glory to God, and the increase of peace and good-will among men," are precepts which would be inculcated not only by a Christian, but by a Deist, a Mahometan, or a Hindoo.

and, mistaking instruction for education, supposed that *every* thing was done, if only the *former* were promoted; or whether they *perceived* its religious tendency, and adopted it with the previous intention of counteracting that tendency as opportunity might offer; they concurred with the Dissenters in promoting the system, thus proposed to them.

Under these circumstances the Trustees of two of the Charity schools now before us, ¹ very greatly to their credit as members of the Church of England, determined *five* years ago, to apply to the inventor of the system, ² being of opinion that "the children of a *Church-of-England* charity school ought to be brought up in the *principles and doctrine* of the Church of England." ³ With a zeal proportioned to the goodness of his cause, that friend of humanity undertook the charge. The principle of "Tuition by the Scholars themselves" was applied there with complete success; and *again* applied in unison with the Established

¹ The charity school for boys, and the charity school for girls in Whitechapel.

² See the Report of the Charity Schools belonging to the parish of St. Mary, Whitechapel, for the year 1806, 7.

³ See the preface to an excellent Sermon, preached in the parish church of St. Mary, Whitechapel, on Sunday, Feb. 10, 1811, for the benefit of the charity-schools in that parish, conducted on the system of Dr. Bell. By T. G. Taylor, A. M. Vicar and Lecturer of Dedham. On this subject, Mr. Lancaster himself very justly observes, in the first page of his Introduction, "that education, as it respects those who are *unprovided* with it, ought to become a *national* concern." But then the very circumstance, that it is a national concern, leads to the conclusion, that such *national* education should be founded on the *national* religion. For it is not a "*pharisaical sect-making* spirit" which supports the *national* religion, whatever epithets Mr. Lancaster himself may apply. The necessity of making the national religion the foundation of national education, is well illustrated by Mr. Bowles in his two Letters to Mr. Whitbread, and by Mrs. Trimmer in her Comparative View.

Church.'—Another¹ school was founded in the same parish, under the same direction; and not only has the same principle been *there* likewise successfully applied, but the children, by uniting with their learning a profitable branch of industry, are almost enabled to support their *own* education.²—Another school, of which the children are now

¹ The very great success which has attended Dr. Bell's method in the parochial schools of Whitechapel, as also the readiness with which he undertook the charge, are thus described by the Trustees. Having observed in their Address to the inhabitants of the parish, dated April 3, 1806, "the advantages of *Christian education in the principles of the Church of England*," they proceed, in their report, dated April 7, 1807, at p. 4. to relate as follows. "They accordingly took the earliest opportunity of introducing into both schools (that of the boys and that of the girls) the valuable system of education recommended by the Rev. Dr. Bell, and practised by him with such distinguished success at Madras. The Trustees, hearing that Dr. Bell was in England, and would readily give them advice, applied to him by letter. Dr. Bell, with that zeal and philanthropy, which peculiarly mark his character, left his house in Dorsetshire, and hastened to Whitechapel; and has since from time to time given the Trustees and the Schoolmasters his personal assistance; and his system is now so far matured, as to command the approbation, and excite the admiration, of several eminent persons, both clergy and laity, many of them of high rank and the greatest respectability." And they add, in p. 6, "The disinterested and generous spirit of Dr. Bell allows of no recompense for all his labors: the Trustees can only therefore thus publicly express their high and grateful sense of the *inestimable service* he has rendered to mankind, and particularly his benevolent and indefatigable attention to the organizing of this institution." In their Report, April 11, 1809, they further say, "The plan of education recommended by Dr. Bell, has been now acted upon in this school a length of time, sufficient to enable the Trustees to determine decidedly upon its efficacy, and to speak positively of its success." This is again confirmed by the Report, April, 1810.

² See p. 6, 7. of the "Third Report of the Free School, Gower's Walk, Whitechapel, London, for training up children in the principles of

before us, has been modelled by the same director with equal success. And here I cannot but remark, that the new-modelling of *this* school was undertaken, not only at the general request of the Subscribers and Trustees, but by particular desire of our Metropolitan. — Other schools in this great city and neighbourhood have already followed the example, through the aid of the same Director. And as

‘*pies of the Christian Religion, and in habits of useful industry; conducted under the system of the Rev. Dr. Bell. Printed at the School, 1811.*’ The boys are employed in printing, the girls of course in needlework. In the parochial charity school at Whitechapel, the boys are employed in toy-making. See the last Report in the preceding note. It does not follow that the boys, when they leave school, must become either printers or toy-makers; the acquirement of a *habit of industry* is the great object, which may afterwards be applied, as circumstances require.

* See the Sermon preached by Dr. Bell, in the parish-church of Lambeth ~~the~~ July, 1807; and page 32 of the Account of the Clergy Orphan School, dated April 11, 1811.

Both in the Marybone Charity School, and in the Marybone Day-School of Industry, the new method was introduced by the intervention of Dr. Bell. See the evidence on this subject in the British Review, No. I. p. 200, 201. Dr. Bell has also very successfully introduced it into the Royal Military Asylum, and the Female Orphan Asylum. *His* system is likewise adopted in the Free School in Orchard-street, Westminster, which is well described in the work quoted, note 11. It has been adopted also in the Clergy Orphan School, and the Trustees in their Report, dated April 11, 1811, thus speak of it at p. 34. “The Committee has witnessed the greatest advantages, derived from the introduction of the Madras System into this School, and are anxious to make a public Declaration of their sentiments, being convinced of the necessity of a more extended system of National Education under the auspices of the Established Church, for the preservation of that Church, and the promotion of true Religion, and habits of useful industry among the lower classes; and that for these grand and interesting objects, no plan has yet been proposed, from the general application of which, so much and such unmixed good can be ex-

the benefits are incalculable, which must arise from the general adoption of the system thus directed, let us sincerely hope, that it will be adopted in all. Nor can I be

regretted, as that for which this country, and many other parts of the habitable globe, are indebted to the piety, philanthropy, and unexampled labors of Dr. Bell."

"The chief advantages of Dr. Bell's plan are, I. It completely fixes and secures the attention of every scholar; the indolent are stimulated; the vicious reclaimed; and it nearly annihilates bad behaviour of every sort. II. The children make a regular progress in their learning, which is daily noticed and registered; no lesson being passed over, till it be correctly studied. III. It saves the expense of additional instructors, the eye of one intelligent master or mistress, alone being required to see that their agents, the senior good boys and girls, do their duty in teaching their juniors. IV. It not only possesses excellent mechanical advantages in communicating instruction generally; but it is particularly adapted to instil into and fix practically in the mind the principles of our Holy Religion; whilst it materially secures the moral conduct of the children, both in and out of school; and V. By economising time, hitherto so lamentably wasted in charity schools, conducted on the old plan, it affords ample and very inviting opportunity to add to the ordinary establishment a School of Industry."—This is the testimony of men, who speak from an intimate acquaintance with the subject, the Trustees of the parochial schools in Whitechapel, to whom we are under the highest obligations; next to Dr. Bell himself. See p. 5 of their Report, dated April 7, 1807. See also the Preface, by T. Bernard, Esq. to the first part of a Digest for bettering the condition of the poor, containing a selection of those articles, which have a reference to Education. 1809.

Though the parochial schools in Whitechapel, were the first which were modelled in London by Dr. Bell in person, yet the system itself, so early as 1797, "was partially adopted with good success in the oldest charity school in London, that of Aldgate." See Dr. Bell's Madras School, p. 1. It was introduced there "by a Trustee of most distinguished and exemplary zeal for the education of the poor, D. P. Watts, Esq. of Portland Place." See the Report of the Clergy Orphan School, p. 32. It was adopted also in

silent on the merit of another eminent Prelate, whose munificence, as well as personal exertion, has given rapid and successful extension to the new system in the Bishopric of Durham, under the guidance and immediate inspection of the Inventor, whom he has enabled to withdraw from his *parochial* duties, that he might devote himself entirely to *education*.¹ And, what is of great importance, the same distinguished Prelate has founded a seminary for *Masters* in the new system, that there never may be wanting a supply of fit and able men.²

1799, at the recommendation of Dr. Briggs, in the schools of industry at Kendal, and with great success. See the account, by T. Bernard, Esq. in the 3d Volume of the Reports of the Society for bettering the condition of the poor, p. 181—201.

¹ After Dr. Bell was presented by the Bishop of Durham to the Mastership of Sherburn Hospital, he resigned his Living of Swanage in Dorsetshire.

² This seminary is founded at Bishop's Auckland. Of the *other* schools, which have been established or new modelled in the Bishopric, the principal are those at Bishop's-Wearmouth, Sunderland, and Gateshead, where Dr. Bell has had great success. See the British Review, No. I. p. 202: also Dr. Bell's Instructions for conducting a school through the agency of the scholars themselves. 2d ed. London, 1800. In the city of Durham the Rev. G. Bouyer, Prebendary of that Cathedral, has instituted a school "in the hope (which there is a fair promise of realising) of proving experimentally, that schooling on the Madras System *two hours a day* for three years, will suffice to give the lower orders of children that instruction in reading, writing, and arithmetic, and religion, which is thought requisite." *Ib.* p. 16.—The Bishop, with the Dean and Chapter of Salisbury, have established a school on Dr. Bell's system. The same has been done at Lichfield; and the Dean, as Archdeacon of Salop, has, in a late charge, strongly recommended it to his Clergy. The importance also, which the late Bishop of London attached to Dr. Bell's exertions, appears from his "Letter to the Governors, Legislators, and Proprietors of plantations in the British West India Islands."

IV.

We have the choice therefore, of the new system in *two different forms*. In the *one* form it is a *Church-of-England* education: in the other form it is not so.* Both forms are alike *accessible*: both forms are equally *practicable*. We have also books of instruction, as well for the

Such examples of encouragement, on the part of the Bishops and other Clergy, bestowed on the new method of instruction, afford sufficient answer to the reproach, which has been made to those, who object to Mr. Lancaster's plan, as if their objection proceeded from a desire to keep the people in *ignorance*. If *this* was their desire, they would not encourage *Dr. Bell*. It is not the *mechanical* part to which they object; for it is the same as *Dr. Bell's*. It is only the *religious* part, to which they object. And if the Clergy do *not* object to the religious part of Mr. Lancaster's plan, their *conduct* is very inconsistent with their *duty*.

* That Mr. Lancaster's mode of education is not a Church-of-England education, is evident from his own account of it. And this is the point, on which the question hinges, whether *his* education should be promoted by *Churchmen*. The question, therefore, what the religion really *is*, which Mr. Lancaster teaches, is of inferior moment in the present inquiry. Indeed, it is much easier to say *what it is not*, than what *it is*: for, though called at present a *British* education, it teaches not Christianity, under *any* of the forms, which are practised within the *British dominions*. It appears, however, to be more *favorable* to Unitarianism, than to any *other* form of religion, at least if the Report be accurate, which was printed in the *Morning Chronicle* of June 6th last, relating to the meeting of the Friends of the Unitarian Fund. For, according to that Report, one of the speakers said, "that Instruction and Unitarianism were in his opinion the same, and he could not help, therefore, looking on the endeavours of Mr. Joseph Lancaster in the most *favorable* point of view; because his enthusiasm was merely directed to education."

one as for the other.¹ Nor is the Inventor of the system, who combines with it the national religion, less willing or less able, than his dissenting rival, to promote it, both by his advice and his personal exertions. The alacrity with which he consented, and the ability with which he proceeded, to regulate some of the schools, which are now before us, afford sufficient proof of the assertion. It is true, that the appellation *now* given to the system, does not operate in his favor. Like Columbus, he has lost the honor of giving name to his own discovery.² But, though the title has been transferred to him, who, in *adopting* the system, has estranged it from the establishment, the Inventor has suffered no diminution of his *real worth*.

That *Dissenters* should apply to a friend of the establishment for the regulation of *their* schools, however greatly, in *other* respects, they might approve his method of instruction, it would be useless on our part to desire.³ But if

— ¹ Mr. Lancaster's mode of education is described in his work, entitled "Improvements in Education," of which the first edition was printed in 1803, the sixth in 1806. Dr. Bell's mode of education was first described in 1797, in the pamphlet quoted, note 13, of which a second edition was printed in 1805. More complete information is to be obtained from his octavo volume, published in 1808, called "The Madras School, or Elements of Tuition." With this work should be united his "Instructions for conducting a school through the agency of the scholars themselves," of which the 2d edition was printed in 1809. Mr. Colquhoun's pamphlet, already quoted, contains much valuable information for those who wish to conduct a school on Dr. Bell's plan. The Reports likewise may be usefully consulted, which have been published by the Trustees of those schools, where Dr. Bell's method has been adopted.

² I would ~~not~~ be understood to throw any blame on the Dissenters, for not applying to Dr. Bell. On the contrary, I commend them for not applying to Dr. Bell. They are then only blameable, when they censure us for acting on similar principles; when they consider us as

the Dissenters are too wise to promote a plan of education *in unison* with the doctrines of the Church, shall the members of that Church have the weakness, to promote an education, from which those doctrines are *excluded*? It is by no means a matter of indifference to *which* of the two principal Directors we apply for assistance. The schools which we desire, either to found or to regulate, may perhaps in either case have equal *mechanical* advantages.* But the *religious* impulse, which they will receive from their respective Conductors, must carry them into opposite directions. It is true, that the impulse, which is unfavorable to the establishment, may in some cases be checked: and by the interposition of Churchmen, where such interposition *avails*, may be gradually introduced *some* forms of compliance with the established church. But such *amended* seminaries will not so easily attain the character of a *Church-of-England* institution, as those which are modelled for the Church from the beginning,

intolerant for paying the same attention to *our* interests, which they invariably pay to *their own*. In fact, we *cannot* be intolerant in preferring Dr. Bell to Mr. Lancaster, unless *they* are intolerant in preferring Mr. Lancaster to Dr. Bell. If it be said, that liberal-minded Christians should lay aside all party distinctions, and that the *names* of Bell or Lancaster should be disregarded in the great cause of religion; it is not very consistent with this *professed indifference* to have constant recourse to *Mr. Lancaster*. I could easily declaim on the illiberality of rejecting such a man as *Dr. Bell*, were it not that declamation of this kind is *sound* without *sense*.

* It is obvious that the principle of "Tuition by the Scholars themselves," is not only *capable* of, but perhaps *requires*, various modifications, according to a variation of circumstances. These modifications, or *subsidiary* practices in the application of the *general* principle, are, some of them, different in Mr. Lancaster's from those in Dr. Bell's Schools. I do not profess to have sufficient experience in the *detail* of the mechanism, to determine *what* subsidiary practices

Why then should the members of the Establishment, where they have the *choice* of the two Directors, have recourse to any but *their own*? Why should they *abandon* the Establishment to obtain instruction for the poor, when that instruction may be had with equal advantage in the Church? If *Masters* are wanted, we have a seminary for that purpose. Nay, have we not before our eyes, at this very moment, perhaps a hundred among these charity children, who either are, or soon will be, enabled by their education, to assist in directing a school on the new system? Has not the Royal Military Asylum, which has been most successfully guided by our own Director, already furnished assistance of this kind?

Why also should we relinquish the old institutions *altogether*? Why should we not endeavour to adapt our *present* schools, if possible, to the new system? And have we not before our eyes abundant proof, that such endeavours may be crowned with success? That an *adversary* of the establishment should argue and act, as if our present parochial and charity schools had either no existence, or no capability of improvement, is not a matter of surprise. Our parochial and charity schools have been hitherto *Church-of-England* schools. They are unserviceable, therefore, for purposes, which are not friendly to the Establishment. But this is a reason why we should be anxious to *retain* them, to retain them as institutions, which the Church may consider as *its own*. Who, indeed, in this

are the best. But wherever Mr. Lancaster, or *any one else*, has introduced a *real* improvement, it should of course be adopted, especially as it may be done without deranging the general system.

* Namely, for the Marybone Charity School. See the evidence of Mr. Cox, the Master of that School, quoted in the *British Review*, No. L p. 201.

great audience would not deeply lament, if the numerous charity schools, which are here assembled, were condemned to dissolution, in order to make way for a few great seminaries, from which the children would never more be conducted to this place? What friend of the Establishment would not rather desire, by an extensive application of the new system under our own Director, to expand the benefits of these very schools, and thus embrace, within the pale of the Church, the indigent children of the whole metropolis?

V.

With those, who are members of the Church from a conviction of the *Truth* of our Religion, no further arguments can be wanted, to determine *their* choice of the form, under which the new system should be adopted.² But *other* arguments are necessary to influence those, who, though *members* of an Establishment, which is a compound of Church and State, are indifferent with respect to its *religious* ingredients. It would indeed be foreign to the present purpose, to offer arguments, either for the Truth of Christianity in general, or for that pure and reformed

¹ Of the augmentation in the *number of the children*, without an augmentation of *expense*, of which these schools are capable on Dr. Bell's system, some judgment may be formed by consulting Mr. Colquhoun's new and appropriate System of Education for the laboring People, p. 66.

² Even were it *true*, that Mr. Lancaster invented the mechanism of this system; and even if Dr. Bell had no *other* merit than that of combining it with the doctrines of the Church, the mechanism so combined would equally recommend itself to our acceptance.

part of it, to which we belong. Equally foreign to the present purpose would be the examination of the question, whether a *national* religion, or a religion of the state, is a thing desirable, or not ; whether all religious parties should be placed on an equal footing, or the State, by an alliance with one religion, should afford it an Establishment, and only tolerate the rest. Indeed, these questions have been already so ably discussed, that it would be as useless, as it would be foreign to the present purpose, to attempt any further illustration. We are now concerned with the facts, that there is a religion by law established in this country ; that the State has made an alliance with the Church ; that it has allied itself with the Church of England ; that, for the security of this Church, provision has been made, not only by repeated Acts of Parliament, but by his Majesty's coronation oath ; and lastly, that every man, who accepts an office of trust or power even in the civil administration, is by law required, to profess himself a member of this Church by attending the most solemn of its rites, the celebration of the Lord's Supper. Now, whether men consider Religion as merely an engine of the State, or regard it also, as they ought, for its own excellence and truth, as the means of obtaining happiness in another world, they must in either case admit, that its alliance with the State implies utility to the State. Without a prospect of some advantage to be derived from the Church, the State would have neither sought its alliance, nor granted it protection. Whether our ancestors judged rightly in this respect, or whether civil society (as some modern theorists imagine) can be as well conducted, without the aid of an established religion, yet as long as the present Constitution remains, it is both the duty and the interest of all, who are members of it, to adhere to the principles, on which it is founded. It is the interest of Statesmen, as well as of Clergymen, to pre-

serve to *each* of the contracting parties sufficient power to enable it to fulfil the *terms* of the compact; to enable, therefore, the Church to render that service to the State, which the State requires, and compensates by reciprocal aid. By weakening *either* of the contracting parties, we diminish the strength of the *whole*. By detaching men from the *Church*, we create divisions in the *State*, which may end with the dissolution of *both*. So congenial is the *Church* of England with the *State* of England, that, since their alliance at the Reformation, they have neither *fallen* alone, nor *risen* alone. They *fell* together in the reign of the first Charles; they *rose* together in the reign of the second Charles. Let not Statesmen therefore imagine, that the Church may fall without danger to *themselves*. If no reverence, no devotion, is excited by the *divine origin* of our religion, yet, unless men reject also the opinion, that religion advances the good of *civil society*, they will pause at least, before they contribute to the dissolution of an alliance, which has so long and so usefully subsisted. They will be cautious how they treat the institutions of the *Church*, as unnecessary ingredients in a plan of national education. They will be cautious how they patronize seminaries, from which the doctrine and discipline of the Church of England are openly and avowedly discarded. But if such patronage is bestowed, where we have most reason to expect support to the Establishment, we may then despair of being able to fulfil the *condition* of our alliance. Our *utility* will cease. We shall lose the *power* of doing good. No residence, no preaching, no catechising, will further avail. Our flocks will have deserted us; they will have grown wiser than their guides; and the *national Creed* will have become too narrow for minds accustomed to the liberal basis.

VI.

But whatever be the circumstances, in which we may hereafter be placed, let us endeavour to fulfil the duties of our station, while we have duties to perform. If we cannot recal the thousands who have *deserted* the Church, let us double our efforts to retain the faithful band, which rallies round her standard. Let the union of the latter increase with the defection of the former. Let both the Clergy and the Laity, who are still *attached* to the Church, combine for mutual defence. It is an union of Churchmen with Churchmen, which must promote the welfare of the Establishment. We cannot indeed expect, that Dissenters should be *willing* to co-operate with Churchmen, when the object in contemplation was the interest of the *Church*.¹ For *this* purpose, we must associate among *ourselves*: we must retain the strength of the Establishment in its *own* channel, for its *own* preservation: we must not divert it into *other* channels, where the current may be turned *against* us.²

¹ This is not spoken to their disparagement, or intended as a matter of reproach. However well-disposed, however well-affected in all *other* respects, they *cannot* be well-affected to the Church, or they would not be Dissenters from it. Their *interests* in respect to *religion* are *different* from ours, and therefore *must* lead them a *different* way. Though Dissenters of *every* description may unite *among themselves* against the Church, for the support of a common cause, yet an union of Churchmen and Dissenters in *favor* of the Church, is a supposition, which contradicts the common principles of human action. But if we cannot co-operate in the prosecution of *this* object, it is to be hoped that we shall never fail to join hand and heart in promoting objects of *general* benevolence.

² Self-defence is not only justifiable, but a duty. And we are surely not chargeable with intolerance or bigotry, if, while we leave our neighbours undisturbed in *their* religion, we use every fair and honorable

An association of *this* kind is the Society for promoting Christian Knowledge. It is a true *Church-of-England* society; and no one is received among its members, without testimony of his attachment to the constitution, as well in Church as in State. Though its exertions, therefore, are not confined to one nation or language, though it promotes Christianity as widely as its means extend, yet, when its benevolence is exercised at home, it never loses sight of those doctrines, which we in particular believe and maintain. For, where the Church of England is established, it is not Christianity under *any* form, which it is *our* duty to promote. *Our* exertions (though without the smallest restraint on the zeal of *other* parties) must be *especially* directed to the furtherance of that system, which we are *especially* pledged to support. The Society therefore for promoting Christian Knowledge does not confine itself, where the Church of England is established, to the distribution of the Bible alone. It adds the *Liturgy*, in which those doctrines are derived from the Bible, which we *believe* to be correctly derived from it.¹ For though, without the Bible,

exertion in support of *our own*. *Hitherto* we have rights, as well as *they*. And, if the *defence* of those rights is called *intolerance*, the charge recoils on those who *make* it. If it is *bigotry* to disrespect a religion which is *tolerated*, it cannot be *liberality* to insult the religion *established*. If it is right (as it unquestionably *is*) to preserve unimpaired the privileges of *Dissenters*, it is a violation of equal justice to trample on the privileges of the *Church*.

¹ If other religious parties believe *differently*, far be it from me to *reproach* them with their opinions. If I think them *wrong*, I still respect them as *religious* opinions. And with the freedom, with which I assert, that *our* doctrines are in unison with the Bible, with the *same* freedom let all *other* parties claim that unison to *themselves*. But let them claim it without reproaching *us* for the exercise of the *same* privilege. And let us *all* submit with humility to Him who alone *cannot err*, to determine where the Truth is *really* to be found.

the Liturgy has no support, yet, without the Liturgy, men are left in *doubt*, whether the principles of *our* faith should be embraced by them, or not. Without the Liturgy, they want a guide, to lead them to the Established Church. Without the Liturgy, the Bible may be misapplied to doctrine and discipline most discordant with our own. Where the Church of England therefore is established, the Bible and the Liturgy should be united. For *every* Christian party either finds, or supposes that it finds, its peculiar tenets in the Bible. And hence the Act of Uniformity expressly enjoins, that no Sermon shall be preached, or Lecture given, except in the University Churches, till after the *Liturgy* has been publicly read.¹ But beside the Liturgy, which is the *authorised* Repository of our doctrines, the Society distributes a Collection of Tracts, written chiefly by our most distinguished Divines, and containing ample instruction both for our faith and manners. Nor has our Society neglected to provide for Christian education and Christian Schools. With *such* a Society, it should be the earnest endeavour of every sincere friend to the Establishment to become connected. The names of our Prelates, without exception; the names of our parochial Clergy, to a considerable extent; and the names of many most respectable laymen, are enrolled in the catalogue of its members. We have likewise reason to rejoice that our numbers, within a short period, have rapidly increased, and are still increasing.²

¹ Sect. 22, 23.

² For this increase we are greatly indebted to that excellent plan, the formation of Diocesan Committees, which our Society adopted at a general meeting on June 12, 1810, for the purpose of "extending the usefulness of this Society, for increasing its influence, and promoting the union and co-operation of the parochial Clergy, and other friends of the Church throughout the kingdom, with the designs of the

Another Association of the same kind, and closely connected with our own, is the Society of Patrons of this Anniversary of the Charity Schools. This Society is likewise a true *Church-of-England* society. It contains a thousand members, who, as trustees or subscribers to these assembled charity-schools, are all employed in supporting the Protestant Religion, as established in this country. They deserve, therefore, the protection of every friend of the British Constitution. And, if viewed in the light of humanity, as well as of policy, they claim the patronage of every friend to human nature. To this Society we are indebted for the glorious display of these thousands of children, who are

Society." No plan could be better devised, or more suited to the object in view. As every Bishop is a member of the Society, these diocesan committees, at which the Bishops themselves should of course preside, afford a medium of communication, a bond of union, between every diocese and the board in London. The distant clergy, as well as other friends of the establishment, become in this manner, acquainted with a Society, whose usefulness, or even existence, might otherwise be unknown to them. And, when they are admitted members, their communications with it are facilitated by committees, to which they have constant and easy access. Nor is this the *sole* advantage of the plan. It promotes (what at present is more than ever wanted) the intercourse between the Bishops and their Clergy; it invigorates the principle of diocesan government; it reduces co-operation, to a system; and thus contributes, beyond the reach of individual efforts, to promote both the interests of our Society, and the general welfare of the Church. It would be want of gratitude therefore not to add, that we are indebted for the introduction of this plan to the Bishop of Ely, and for the zealous promotion of it, to the Archbishop of Canterbury, who immediately communicated and recommended it to the Bishops of his Province. See p. 178—180 of the Society's last annual publication.

* See the Preface to the List of the Patrons of the Anniversary of the Charity Schools, 1811.

2 "More than seven thousand children clothed and educated in this metropolis." *Id.*

now acquiring those principles of religion, and those habits of industry, which, if they are careful to preserve them, will ensure their happiness in this world, and in the world to come.

And may God Almighty, of his infinite goodness, so rule their wills and affections, so put into their minds good desires, that, by his continual help, they may bring the same to good effect; through Jesus Christ, our Lord.

AN
ADDRESS

TO THE

Senate of the University of Cambridge,

OCCASIONED BY THE PROPOSAL TO INTRODUCE IN
IN THAT PLACE AN

AUXILIARY BIBLE SOCIETY.

VOL. I.

NO. I.

F

*An Address to the Members of the Senate of the University
of Cambridge, occasioned by the Proposal to introduce
in that Place an Auxiliary Bible Society.*

WE have at present *two* very extensive *Bible* Societies, the one founded in 1699, the other in 1804. *Both* of our Archbishops and *all* our Bishops (with the Prince Regent at the head) are members of the former : *neither* of the two Archbishops, and only a *small* proportion of the Bishops are members of the latter. The members of the former, now amounting to about five thousand, are exclusively *Churchmen*, no one being admitted to it without testimony of his attachment to the Constitution, as well in Church as in State. The members of the latter are much more numerous, than those of the former ; but they consist of *Churchmen and Dissenters* indiscriminately. The two Societies agree in the very laudable object of distributing Bibles, both at home and abroad, though the number of Bibles distributed by the latter, especially abroad, greatly exceeds the number distributed by the former. For not only are the funds of the latter much superior to those of the former, but those funds are employed in the distribution of Bibles *only*, whereas the funds of the former are employed partly on Bibles, partly on Prayer-Books, and partly on Religious

Tracts, which are in unison with the doctrine and discipline of the Established Church.

From this short statement it appears, that the former, or the *ancient* Society, is not only a *Bible Society*, but likewise (what the other is not) a *Church-of-England* Society. With the former it is an invariable rule, in promoting Christian Knowledge, to keep in view the doctrines, which the members of the Society believe and maintain. Especially, where the Church of England is established, they consider it as *their* duty to promote Christianity, not under *any* form, but under that particular form, which, above every other, they are *pledged* to support, which alone is the *tenure* of ecclesiastical and even of civil preferment. In conformity with that rule, the Society for promoting Christian Knowledge (the *ancient* Bible Society) distributes, in its home circulation, as well the *Liturgy* as the *Bible* : for though, in the spirit of true Protestantism, it acknowledges the Bible as the only *fountain* of religious truth, yet, it knows, from the experience of all ages, that the waters of that fountain will be clear or turbid, according to the channel into which they are drawn. And as the members of the Society *believe* (though without reproach to those whose belief is different) that the doctrines of the Liturgy are *correctly* derived from the Bible, they consider it as their indispensable duty to unite the one with the other. Indeed, uniformity of doctrine can never be produced without an adherence to this rule ; for *every* Christian party either finds, or *supposes* that it finds, its peculiar doctrines in the Bible.—But this salutary rule, so necessary to promote uniformity, so desirable therefore by every true Churchman, *cannot* be observed by the *modern* Bible Society ; for such a rule would not only be contrary to its present avowed object, but absolutely inadmissible from the very *constitution* of the Society. For it not only consists of Dissenters as well as of Churchmen !

but an *equality* of power and interest, between the two parties, is the avowed *basis*, on which this modern Society is built.

It is true, that those members of it, who are attached to the Church, may so far correct the evil, that when they have obtained Bibles for distribution from this Society, they may *of themselves* add Prayer-books, and Religious Tracts in unison with the established faith, and that this correction will be rendered easy, if (as frequently happens) they are members also of the *other* Society. But, to say nothing of the question, whether it is not more advisable for Churchmen to adhere *wholly* to a Society, which, in proportion as its numbers increase, will supply their wants without the necessity of correction, the dissenting members have the same resource with their brethren of the establishment, it being equally in *their* power to distribute Bibles in company with such Religious Tracts, as favor their *own* opinions, and are always at hand, whenever they are wanted. The principle of *equality* therefore, on which the modern Bible Society is formed, and which places Christians of every denomination on the same level, is, upon the whole, preserved : and in this *constitutional equality* there is evident danger, that the pre-eminence of the *established religion* should be gradually forgotten, and finally lost.

It is far from my intention to be unfriendly or disrespectful toward those, whose religious opinions are different from my own. Though sincerely attached to the Established Church, and desirous of promoting its welfare by all fair and honorable means, I fully recognise the *natural*, and in this country *legal*, right of private judgment in matters of religion ; and I should be ever ready both to deplore and to oppose every effort to abridge the freedom of religious opinion, or religious worship, which is exercised in this country by Dissenters of every description. But though I respect

religious opinions in general, however different from my own, and respect them *because* they are religious opinions, yet I deeply lament that such diversity exists; not only because the greater the diversity the more abundant is the error, but because *religious* dissension, in consequence of our mixed constitution, is closely connected with *political* dissension. *political* evil ; and as such should not be *encouraged*, though Religious dissension therefore in this country becomes a Dissenters of every description should for conscience sake *be tolerated*. This is the true line of distinction, which every Churchman should invariably observe ; and I am convinced that every candid Dissenter, so far from resenting this open and honest avowal, will do justice to the purity of my intentions. Indeed, every man, who loves his country, will be ready to adopt a principle, which is calculated to promote political good, without producing religious evil.

Let us apply this principle to the modern Bible Society, as far as relates to the conduct of *Churchmen* : for nothing which is here said is intended as a restraint on the conduct of those, who *dissent* from the Established Church. *They* have full liberty to distribute Bibles, either alone, or accompanied with such Religious Tracts as they may think proper : and, if a Society consisting *solely* of Dissenters had been formed for this purpose, the members of the Establishment would have had no right, either to interfere or even to complain of it. *Such* a society would have been perfectly consistent with those principles of toleration, which are happily established in these realms. But it is certainly a question for consideration among *Churchmen*, whether it is prudent to *augment* the power of such a Society, by throwing into its scale the weight of the *Establishment*. If Churchmen give the *whole* of their influence to the *ancient* Bible Society, they *retain* the strength of the Established Church within its *own* channel, and thus contribute to *preserve* it. If they

divide their influence, and still more 'if they give it wholly to the *modern Bible Society*, they *divert* the strength of the Establishment into a *foreign* channel, where the current *may* at least be turned *against* them. In supporting the *ancient Bible Society*, they have ample security, that they are supporting at the same time the *Established Church*; but in supporting the *modern Bible Society*, they have *no* such security, either in its constitution, or in the general friendship of its members. It is true, that the professed *object* of the *modern Bible Society* is to distribute Bibles without note or comment, and, in this country, according to the authorised version. But were it *certain*, that, as the power of this Society increases, the present avowed object would still be retained, we can have no guarantee that *other* objects, inimical to the Church, will not in time be associated with the *main* object. The experience of only seven years, under circumstances where circumspection has been peculiarly necessary, is a poor ground of consolation. The Dissenters, however well affected in *other* respects, *cannot* be well affected to the *Church*, or they would not be dissenters from it. Their *interests*, in respect to religion, are different from ours, and therefore *must* lead them a *different way*: and though we know, from experience, that they can combine for the purpose of *opposing* the Church, it would be contrary both to experience, and to the common principles of human action to expect their co-operation, if the object in view was the *interest* of the Church. If we apply then the principle above-mentioned, that Churchmen should *tolerate*, but not *encourage* Dissenters, we shall find in it a strong argument against the promotion of the *modern Bible Society*. For, independently of the reason above-stated, that Churchmen should unite the *Liturgy* with the Bible, and thus prevent its misapplication to *other* doctrines, the very *constitution* of the *modern Bible Society* gives an importance to the dis-

senting interest, which, otherwise, it would never have obtained, and consequently brings a fresh accession of danger to the Established Church. That Churchmen, by their association with Dissenters in this *modern* Bible Society, increase both the political and the religious importance of the latter, is too obvious to require illustration. And that this increase of influence *may* hereafter be applied in a manner not contemplated by those, who now inadvertently promote it, is likewise a position which cannot be controverted. But by increasing the influence of the *ancient* Bible Society, we necessarily increase the influence of the *Established Church*; for the *ancient* Bible Society is one of its firmest bulwarks. On the one hand, therefore, our encouragement of the *ancient* Society *must* contribute to the welfare of the Established Church, while, on the other hand, our encouragement of the *modern* Society not only contributes *nothing* to it in preference to *other* churches, but *may* contribute even to its dissolution. Now if we injure, or even neglect to support, *our own* Church, we shall hardly make compensation by our distribution of Bibles in *foreign* parts. If *our own* Church, as we have reason to believe, professes Christianity in its *purer* form, the downfall of *such* a Church would be an irreparable loss, not to *this* nation only, but to the *whole* world.

Under these circumstances, I respectfully submit the question to the consideration of this University, *which* of the two Bible Societies is most entitled to encouragement on the part of a body, whose peculiar duty (a duty so nobly displayed on a late occasion) is the support of the *Established Church*.

HERBERT MARSH,

Margaret Professor of Divinity.

FIRST LETTER

ON THE SUBJECT OF THE

, British and Foreign

BIBLE SOCIETY;

ADDRESSED TO

THE REV. DR. MARSH.



BY THE

RIGHT HON. NICHOLAS VANSITTART.

. FIRST LETTER

TO

THE REV. DR. MARSH,

(Margaret Professor of Divinity in the University of Cambridge,)

OCCASIONED BY HIS

ADDRESS TO THE SENATE OF THAT UNIVERSITY.

DEAR SIR,

I BEG to return my best acknowledgments for the communication of your Address to the Senate of Cambridge; which I the more strongly feel as a mark of your kind attention, as I have not the honor of belonging to that University, and as it is a considerable time since I have been so fortunate as to have an opportunity of meeting you. You were perhaps not aware that you were sending your Address to a member of the British and Foreign Bible Society; but I accept, as a proof of kindness, your candid and friendly admonition, which affords me an opportunity of justifying myself to you, as a Church of England man, for contributing my assistance to that Institution.

I never indeed *before* thought it necessary to offer any apology for so doing; for though I was aware, before I engaged in the Society, that it had been represented as dangerous to the Church, it appeared to me that this charge had been so completely refuted, that it is with no less surprise than regret that I now learn that *you* still think it well founded.

I must first remark that your observation respecting the *funds* of the Society for promoting Christian Knowledge, compared with those of the Bible Society, must give a very erroneous impression respecting the comparative wealth of the two Societies. You state that the *funds of the latter are much superior to those of the former*. This is so far from being the case, that, by the latest annual account, the Society for promoting Christian Knowledge appears to be possessed of property in the public funds producing about 5300*l.* per annum, besides some landed property; while the Bible Society was, in April last, possessed of no more than 389*l.* per annum in the funds, and of money and exchequer bills, capable of producing about 180*l.* more, making together about 570*l.* per annum: and although its total receipts within the year exceeded those of the Society for promoting Christian Knowledge, in the proportion of about 24,600*l.* to about 19,000*l.* yet these receipts were not only principally derived from casual and occasional sources, such as congregational collections, and contributions from Auxiliary Societies, but they actually fell short of the expenditure of the year by upwards of 3600*l.* It is not therefore without necessity, much less is it from an invidious spirit of rivalry towards any other Institution, that the friends of the Bible Society are making those exertions to obtain further patronage and support from the public, which appear to excite your alarm—an alarm for which I confess myself totally unable to account, when I consider that *the sole and exclusive object of the Bible Society*, so far as it respects the United Kingdom, is THE CIRCULATION OF THE AUTHORIZED TRANSLATION OF THE SCRIPTURES WITHOUT NOTE OR COMMENT. I should, as a member of the Church, be very sorry to think that the devout study of the SCRIPTURES could lead to the disregard of our LITURGY; on the contrary, I should hope that it

would produce a more general acknowledgment of its excellence, as it originally, at the period of the Reformation, led, through the blessing of Divine Providence, to its establishment. • THE BIBLE, says Chillingworth, and THE BIBLE ONLY, IS THE RELIGION OF THE PROTESTANT ; it is the sole basis of the CHURCH of ENGLAND, and the only one on which you, I am sure, would wish to place it. But you observe, that “ you can have no guarantee, that as the power of the Bible Society increases, *other* objects, inimical to the Church, will not in time be associated with the *main* object.” To this I answer, that so long as the members of the Church take part in the Bible Society, its very constitution will afford such a guarantee as you desire. The PRESIDENT, and all the VICE-PRESIDENTS, without exception, are Churchmen, and are constant members of the managing committee, in which they always preside ; and of the other members of this committee, the Churchmen are equal in number to all the Dissenters of different sects ; so that, in every question, *the Church must have a constant majority* ; and in the general meetings, in which alone all points affecting the constitution of the Society must be decided, the members of the Church must have a weight corresponding to their numbers and consequence. In proportion, therefore, as Churchmen of talents, rank, and influence, join the Society, this preponderance must increase. Among the patrons, either of the parent Society, or its branches, are already numbered the FOUR ARCHBISHOPS OF IRELAND, and EIGHT ENGLISH and EIGHT IRISH BISHOPS. I doubt whether the SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE, which now, as you observe, enjoys the countenance of the whole episcopal Bench, was, at so short a period from its formation, favoured with the support of so large a body of the Prelates ; and I should hope the time might not be far distant, when the two societies may equally flourish under the general patronage .

of them all. This would appear to me the most effectual remedy for any, supposed danger from the *Dissenting influence in the Bible Society*. To those who are intimately acquainted with the Society, this danger must indeed appear chimerical. So little does the spirit of mutual jealousy exist, that there has been no instance of a division taking place in a 'general' meeting, and I scarcely recollect one even in the committee, in the course of a frequent attendance : but what may appear to you more extraordinary, I have not yet been able to discover which of the members of the committee are Churchmen, and which are Dissenters, except in the instances of those gentlemen with whom I happen to be personally acquainted, and a few members of the Society of Friends, who are of course distinguished by their dress.

But supposing, for the sake of the argument, that there may be real danger from the preponderance of the Dissenting interest, what is the *remedy* you propose? That all Churchmen should withdraw themselves from the Society, and leave it *wholly* in the hands of the DISSENTERS. If *any thing* can make the Society dangerous, this must do it ; because there would then be no check to any sectarian spirit which might introduce itself, and which must be unavoidably irritated by so harsh, and, I think, so unjust, an indication of jealousy. But even if no sentiment of resentment should be excited, one of two consequences must inevitably follow : either the Society, being deprived of the hope of further support, and crippled by the loss of its pecuniary means, and of many of its most valuable members, would wholly expire, or sink into insignificance ; or else the *Dissenting interest*, making up for these losses by more extensive sacrifices, and an increase of zeal and activity, and availing itself of the assistance of the foreign societies already formed, would carry on the institution in nearly the same manner as before.

In the first case, you would have crushed an establishment which has done more for the diffusion of CHRISTIANITY than has been effected in the same space of time in any age since the APOSTOLIC; which has in SEVEN YEARS been the means of preaching the Gospel in FIFTY-FOUR LANGUAGES. . This would *indeed be putting out one of the eyes of Britain.*

The other alternative would be to transfer to the body of DISSENTERS all the *honor and influence of whatever has been done, and whatever may be done*, by an institution, of which the dawn has been so glorious, but which is visibly rising into brighter day. Shall it be said that the DISSENTERS ALONE have carried the WORD OF GOD TO EVERY NATION UNDER HEAVEN? or shall the CHURCH OF ENGLAND continue to claim the leading part in this important work? And can the Church of England stand so secure upon a narrow and exclusive policy, as BY DESERVING THE BLESSINGS, AND UNITING THE PRAYERS, OF ALL PEOPLE NATIONS, AND LANGUAGES?

The evils of either alternative seem to me equally fatal and inevitable. I am far from undervaluing the efforts of the SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE: I am an *old member of that Society*, and am heartily disposed to lend any assistance in my power to its useful plans. But how little either that, or any other society now existing, would be competent to supply the place of the Bible Society, the experience of above a century has shown. Even supposing (what I think impossible) that it might be made, in some considerable degree, to answer the same purposes, I see superior advantages in the present constitution of the BIBLE SOCIETY. The *co-operation* of CHURCHMEN and DISSENTERS *in religious matters*, so far as they can *conscientiously co-operate*, seems to me one of the most efficacious means of *lessening both the political and religious evils of dissent.* It dispels prejudices, pro-

notes candor and good-will, and must prepare the mind for the reception of that truth, which every one perceives to be no less the object of those who differ from him than his own. From such a communication, the Church of England has nothing to fear, and every thing to hope; as holding (*in our judgments at least*) that *middle line of truth* in which all opposite opinions have a natural tendency to coincide. And is that truth more likely to be acknowledged and embraced by minds embittered by mutual jealousy and aversion, or by such as have been previously softened by conciliation?

The existence of *dissent* will perhaps be inseparable from *religious freedom*, so long as the mind of man is liable to error; but it is not unreasonable to hope that *hostility may cease where perfect agreement cannot be established*. If we cannot RECONCILE ALL OPINIONS, let us endeavour to UNITE ALL HEARTS.

I ought, perhaps, to apologize for troubling you with arguments, which must probably have been already brought before you, as I know your opinions are not taken up hastily and lightly. But I have thought it necessary to state such as have chiefly induced me to consider my taking a part in the concerns of the Bible Society, not only as consistent with, but as a proof of the sincerity and warmth of my attachment to the Church of England; and which still, on reflection, seem to me to have so much weight, that, far from *repenting* of what I have done, I feel convinced I shall *least of all repent of it*, as I approach THAT STATE IN WHICH THE DISTINCTION OF CHURCHMAN AND DISSENTER SHALL BE NO MORE.

I am, &c.

(Signed)

N. VANSITTART.

Great George Street, 4th Dec. 1811.

AN

Inquiry

INTO THE CONSEQUENCES

OF

NEGLECTING TO GIVE THE PRAYER BOOK WITH THE BIBLE

INTERSPERSED WITH

R E M A R K S

ON SOME LATE SPEECHES AT CAMBRIDGE,

AND OTHER IMPORTANT MATTERS

RELATIVE TO

The British and Foreign Bible Society.

BY HERBERT MARSH, D.D. F.R.S.

MARGARET PROFESSOR OF DIVINITY.

AN INQUIRY, &c.

WHETHER objects to the British and Foreign Bible Society is invariably asked, Where is the *harm* of giving away a *Bible*? I will answer therefore by saying, *None whatever*. On the contrary, the more widely the Scriptures are disseminated, the greater in all respects must be the good produced.

Having answered *this* question, and, as I hope, to the satisfaction of every member in the society, I beg leave to ask in my turn; Where is the *harm* of giving away a *Prayer Book*? Of course I propose this question only to those members of the Society, who are also members of the Church. For I have explicitly declared, both in the Sermon at St. Paul's and in the Address to the Senate, that I have no desire to interfere, either with the religious opinions, or the religious conduct of the *Dissenters*. An attempt to impose the Liturgy on men, who from principle reject it, would be a violation of that religious liberty which I sincerely hope will ever be maintained in this country. I neither expect therefore, nor *desire*, unless it is their own *voluntary* act, that Dissenters should either give or receive our Book of Common Prayer. I am addressing myself to Churchmen in their intercourse with Churchmen, such as the Clergyman of a parish has with his parishioners. And, as the Liturgy is the Book which distinguishes Churchmen, I may certainly ask of them, Where can

be the harm, when we give away a Bible, of giving *also* a Prayer Book? As I think no real Churchman would say that *there is*, he cannot consistently object to those, who *recommend* their joint distribution. Secondly, I ask the Churchman, whether it is not *useful*, when we give away a Bible, to give also the Book of Common Prayer, not as a *Corrective*, a name lately given it by the Dean of Carlisle,¹ but as a proper *Companion* for the Bible? Does it not contain devotional exercises composed in the *true spirit* of the Scriptures? Is it not the Book, which we hear constantly at Church; and is it not equally designed for our meditations in the closet? The *usefulness* then of this book to every Churchman, I think, no Churchman can *deny*. He cannot therefore, at least not with consistency, complain of those, who object to the *withholding* of this usefulness; who object to the *omission* of giving the Liturgy; or, in other words, who object to the distribution, on the part of Churchmen, of the Bible *alone* or without the *Liturgy*. Thirdly, I ask the Churchman, whether it is not *necessary*, when he gives Bibles to the poor, (I do not mean among Dissenters, as I have repeatedly declared) to provide them at the same time with a *Prayer Book*? Ought it not to be used by *every* Churchman? and can he join in the service of the Church *without* it? Can it therefore be a matter of *indifference*, whether the poor of our establishment are provided with *Prayer Books*? Do we perform our *duty*, do we properly provide for their *religious instruction*, if we provide them only with the Bible, and leave them *unprovided* with the Prayer Book? In this case, the Rubric and the Canons have very unnecessarily enforced the learning of the *Church Catechism*. When we further consider, that there is at present hardly a town, or even a village, which is not visited by illiterate teachers, who expound the Bible with more confidence than the most profound theologian, it becomes *doubly necessary*, if we would preserve the poor of the establishment in the religion of their fathers, to provide them with a safe-guard against the delusions of *false interpretation*. And what better safeguard *can* we offer than the Book of Common Prayer, which contains the *doctrines* of the Bible, according to its *true* exposition; in

¹ In his speech at the Town Hall, on Thursday the 12th of December.

which those doctrines are applied, throughout the prayers and collects, to the best purposes of religion, and are condensed in a manner, which is intelligible to all, in that excellent formulary the Church Catechism? Under these circumstances, to leave the poor, who without assistance cannot *understand* the Scriptures, as the itinerant preachers themselves admit by their own practice, to leave, I say, the poor under such circumstances, to be tossed about by every wind of doctrine, which they *must* be, unless provided with that authorised exposition of the Scriptures, which is contained in the Liturgy, and which every honest Churchman must believe to be the *true* one, or, at least in *my* judgment (I speak with deference to the judgment of others) such a deviation of our duty as Churchmen, that I little expected to hear Clergymen, within the precincts of the University, reprehend a Professor of Divinity, because he contended, that the Prayer Book should be distributed with the Bible.

But though I certainly did not expect it, I am still ready to confess, that if it is *really blameable* to object to the distribution, on the part of Churchmen, of the Bible *alone*, or unaccompanied with the *Liturgy*, the modern Bible Society can require no further vindication. For if the proposition, which I have hitherto ventured to maintain, is not only untenable, but a fit subject for *reproach*, it necessarily follows, that the omission of the Prayer Book in the distribution of the Bible, is not only *allowable*, but *laudable*. Now, that I *have* been reproached, and *bitterly* reproached, for asserting that Churchmen should not content themselves with distributing only *Bibles* to the poor, is a matter of notoriety. To say nothing of other places, where I have been attacked on this account, I need only appeal to what was said at the public Meeting in Cambridge for the formation of an Auxiliary Society, especially in the speeches of Dr. Milner and Dr. Clarke.¹ Strange, therefore, as it may appear, that a Professor of Divinity should have now to defend himself, in his own University, against the charge of

¹ The Speeches to which I allude were delivered in the Town Hall of Cambridge, on December 12, 1811, and were printed in the *Cambridge Chronicle* of December 20, of course with the knowledge and approbation of the speakers.

pleading for the Liturgy, yet as I am put on my defence, I must request to be heard, before I am finally condemned.

The first person who particularly complained of the objection to the distribution of the Bible alone, that is, as repeatedly explained, without the Prayer Book, was Dr. Clarke. "Is the distribution of the Bible *alone* (says Dr. Clarke) detrimental to the interests of the establishment? Have we forgot that we are Englishmen? Have we forgot that we are PROTESTANTS? What would Lâtimer and Ridley and Chillingworth have thought or said, had they lived unto this day to bear testimony to such a declaration? As the only answer to it, I, as a member, and as a minister, of the Church of England, do not hesitate to declare, so soon as it shall be proved that the distribution of the Bible alone is hostile to the interests of the established church, then, and then only, be that church subverted." Such are the grounds, on which a Churchman justifies the distribution of the Bible *alone*, or unaccompanied with the *Liturgy*: and they deserve particular examination, not as being the sentiments of an *individual*, but as being the sentiments of a *party*. This is evident, not only from the general applause with which the speech was received, but from the circumstance, that the same sentiments are now entertained by very respectable writers, and are even conveyed through the channel of the public papers.

Before I examine the grounds, on which my objection to the omission of the Liturgy is now arraigned, I beg leave to call the attention of the reader to the FACT, that the omission of the Liturgy, in the distribution of the Bible, is justified, and justified by *Churchmen*. And I request the reader to keep this FACT in remembrance, because we shall find it of great importance, when the views of the Society are more particularly examined.

II.

I acknowledge that the arguments for the distribution of the Bible *alone* are so specious, so popular, so apparently in the spirit of true Protestantism, while the arguments for the contrary lie so concealed from the public view, and are now so confidently as-

serted to savour of Popery,¹ that they are equally difficult to explain, and dangerous to propose. Believing, however, as I do, that there is a fallacy in the arguments of those who oppose me,² and conscious of the rectitude of my intentions, I tremble not at obstacles, which present themselves on every side. If it were now a question, as it was at the Reformation, whether the *Bible* should be distributed or not, men might justly exclaim to those who *withheld* it; can the *Bible* be injurious to the real interest of the Church! But this is NOT the question, as every one must know, who argues against me. There were channels in abundance for the distribution of the *Bible*, long before the existence of the modern Society. And I challenge my opponents to declare, whether *they* have labored harder, than I have done, to promote the *study* of it.³ But it is urged, if you still require that the *Bible*, however extensively you may be willing to distribute it, should be accompanied by the *Liturgy*, you must certainly suspect, that there is danger to the established Church from the distribution of the *Bible alone*.¹ Here let me ask, whether the *Bible itself* is not capable

¹ "They are such, as were used by *Papists* at the Reformation, and can only be advanced by those, who think the Church of England cannot stand the test of the word of God." This passage is taken from a Letter in the *Shrewsbury Chronicle*, signed, "A member of the Established Church."—N. B. I have been informed that there is another Letter in the *Shrewsbury Chronicle* to the same purport: but I have not yet seen it.

² That the reader, however, may judge of the *Christian Spirit* which animates some of the advocates of this Society, at the very time when they are boasting of their *promotion* of Christianity, I need only quote the following passage from a Letter, which first appeared in the *Suffolk papers*, was reprinted in Cambridge with a superscription *alluding to my Address to the Senate*, and was very generally distributed in Cambridge within a few days after that Address. The author of this Letter, speaking of the auxiliary Societies now forming in different parts of the kingdom, says, "And yet to these Societies there are they, who *dare* to object. I say *dare*, because circulated as the New Testament has been described to be, without tract or comment, they who oppose *them*, oppose the *circumcision* of the word of God, as originally delivered forth, and would have probably opposed *our Saviour himself*, had they lived in his time."—On such language and conduct, it is unnecessary to make an observation.

³ It can be hardly necessary to repeat what I have already explained, that, when I contend for the distribution of the *Liturgy* in company with the *Bible*, mean only among *members of the Church of England*. It would indeed be *useless*

of *perversion*, whether the *best of Books* may not be misapplied to the *worst of purposes*? Have we not inspired authority for answering this question in the affirmative? St. Peter himself, speaking of the Epistles of St. Paul, said, "In which 'are some things hard to be understood, which they that are *unlearned and unstable* wrest as they do also the *other scriptures*, unto their own destruction." Would St. Peter, if he had lived in the present age, have thought this admonition *less* necessary, than in the age of the Apostles? Can Churchmen, therefore, who know that *one party* wrests the scriptures, by the aid of false interpretation, into authority for the rejection of the *Trinity and the Atonement*, that *another party* wrests them into authority for the rejection of the *Sacraments*, that *other parties* again, on the authority of the same Bible, prove other doctrines, which are at variance with their own, think it *unnecessary*, when they distribute Bibles to the poor, who are incapable, without assistance, of judging for themselves, and who alone are the objects of *gratuitous* distribution, can Churchmen, I say, under such circumstances, think it *unnecessary* to accompany the Bible with the Liturgy, in which the doctrines of the Trinity, the Atonement, the Sacraments, with the other doctrines of our Church, are delivered as *contained* in the Bible? It is not the Bible *itself*, but the *perversion* of it, the *wresting* of the Scriptures (as St. Peter expresses it) by the "unlearned and unstable," with which England now swarms, whence the danger proceeds. And this danger must increase in proportion as we neglect the means of *counteracting* it. But if we neglect to provide the poor of the establishment with the Book of Common Prayer, as well as with the Bible, we certainly neglect the means of preventing their seduction from the Established Church. The Dissenters *remain* Dissenters, because they use not the Liturgy; and Churchmen will *become* Dissenters, if they likewise neglect to use it with the Bible. Have the persons to whom Bibles are *gratuitously* distributed, either the leisure, or the inclination, or the ability, to weigh the arguments for *religious* opinions? Do they possess the knowledge and the judgment, which are necessary to direct men

to give away a book to those whose religious principles must induce them to *reject* it, whether those persons lived in England or abroad.

in the *choice* of their religion? Must they not *learn* it therefore from their instructors? And can there be a *better* instructor, in the opinion of Churchmen, than the Book of Common Prayer?

But the Bible *alone* contains all things, which are necessary for *Salvation*: and to assert the contrary is to argue in the spirit, not of a Protestant, but of a Papist! This position is indisputably true; it is the very *basis* of Protestantism; and no Protestant, as far as I know, has ever contended that any doctrine should be received as an article of Faith, which is not contained in the Bible. But have not Christians of every age and nation been at variance on the question, what doctrines are contained in the Bible? If you ask a Trinitarian why he receives the doctrine of the Trinity, he will answer, Because it is contained in the Bible. If you ask a Unitarian, why he rejects that doctrine, he will answer that it is not contained in the Bible. On the authority of the Bible, the Church of England admits only two Sacraments in opposition to the Church of Rome, while the Quakers, in opposition to the Church of England, admit no Sacrament at all. From the same Bible, the Calvinist proves the doctrine of *absolute* decrees, and the Arminian, the doctrine of *conditional* salvation. On the Bible, the Church of England grounds the doctrine of the Atonement, which, with reference to the same authority, is discarded by the modern Socinians. If you ask a Churchman why it is right to *kneel* at the altar, when he receives the sacrament, he will answer that it is an act of reverence due from every Christian to the institutor of that holy rite, at whose name, it is declared in scripture that "every knee should bow." If you ask a Presbyterian, he will answer with the same authority before him, that kneeling at the sacrament is an act of idolatry.

Put then a Bible *alone* into the hands of the illiterate, and leave them to their own judgment, without Liturgy or other assistance, and determine what articles of faith they shall adopt. If a Churchman withholds the *Liturgy*, when he gives a Bible to the poor, because the Bible *alone* contains all things which are necessary for salvation, he cannot consistently interfere with his *own* instruction: for if the *Liturgy* is not wanted to explain the Bible, it would be the height of presumption for a Churchman to suppose that the instruction of an *individual* could be wanted. Nor

would men in this case give the Bible *alone*: they would ~~it~~ accompany it at least with a *verbal* explanation. And can any sober-minded Churchman really believe, that by putting the Bible, under the circumstances above described, into the hands of the illiterate, they will secure them from the seductions of *false interpretation*, and the consequent defection from the *established church*? I know, indeed, that a very respectable writer, whose sentiments on this subject are on many accounts important, expresses himself as follows: "I should, as a member of the church, be very sorry to think that the devout study of the Scriptures could lead to the disregard of our Liturgy; on the contrary, I should hope that it would produce a more general acknowledgment of its excellence, as it originally, at the period of the Reformation, led, through the blessing of divine Providence, to its establishment. The Bible, says Chillingworth, and the *Bible only*, is the religion of the Protestant: it is the sole basis of the Church of England, and the only one, on which you, I am sure, would wish to place it."¹

Undoubtedly, the Bible is the *sole basis* of the Church of England; and this respectable writer does me justice, in believing that it is the *sole basis* for which I contend, notwithstanding some late insinuations to the contrary. Equally true is the *general* proposition, that the *Bible only* is the religion of the *Protestant*. But are all Protestants *alike* in their religion? Have we not Protestants of the Church of England, Protestants of the Church of Scotland, Protestants who hold the confession of Augsburg? Have we not both Arminian and Calvinistic Protestants? Are not the Moravians, the Methodists, the Baptists, the Quakers, and even the Jumpers, the Dunkers, and Swedenborgians, all *Protestants*?

¹ This is part of a Letter, which was originally a private communication to me from the Right Hon. N. Vansittart, containing remarks on my Address to the Senate, but was published by the Author, at the desire of our Chancellor, who is Patron of the Auxiliary Society in Cambridge. This Letter derives additional importance from the author's being a Vice President of the Society, and from the general circulation which the friends of the Society gave to it in Cambridge. Though I have the misfortune to view the British and Foreign Bible Society in a different light from Mr. Vansittart, I must express my acknowledgments for the candor and liberality, which pervades the whole Letter. It is written in all the amiable spirit of a sincere and benevolent Christian. Let other advocates of this Society take a lesson from Mr. Vansittart.

Since, therefore, Protestantism assumes so many different forms, men speak quite *indefinitively*, if they speak of it without explaining the particular *kind*, which they mean. When I hear of a Swedish or a Danish Protestant (namely, one who belongs to the church established in those countries) I know that it means a person, whose religion is the *Bible only*, but the Bible, as expounded in the *Confession of Augsburg*. When I hear of a Protestant of the Church of Holland, I know that it means a person, whose religion is the *Bible only*, but the Bible as expounded in the *Synod of Dort*. In like manner, a Protestant of the Church of England, is a person whose religion is the *Bible only*, but the Bible as expounded in the *Liturgy and Articles*.¹ How, therefore, can we know, if we give the Bible only, what sort of Protestantism will be deduced from it? And if we believe, that the Bible is more *correctly* expounded in our formulary of faith than in any other, do we act rightly if we *withhold* that formulary, and thus expose men to the danger of coming to conclusions, which we must consistently believe to be *false*? I should be as sorry, as Mr. Vansittart to think that the study of the Scriptures should lead to a disregard of our Liturgy. And I should

¹ Hence it is, that, by the laws of this country, a Churchman *never* qualifies, by declaring his assent only to the *Bible*. This *general* assent is admitted only: ~~from~~ Protestant Dissenters, when they apply for a licence to preach. All that is necessary to be ascertained in respect of *them*, is, that they are Protestants, but *not* of the Church of England. What *kind* of Protestants, in other respects, they may be, the legislature does not inquire, and is therefore satisfied with the *general* declaration of their assent to the *Bible*. But when a Churchman qualifies, he qualifies as a Protestant of a *particular* kind. His test, therefore, is not the *Bible alone*, which is the religion of *all* Protestants. By the laws of this country, the *Liturgy* is the great criterion of the Churchman. The Clergy are required by the Canons to subscribe to the Liturgy, and also to the Articles. But *all* Churchmen, both Clergy and Laity, appeal to the *Liturgy*, as a proof of their Churchmanship. In the two Universities, where it is *especially* necessary to provide for the support of the established religion, not only Heads of Houses and Professors, but every Fellow, whether in orders or not, is bound, by the Act of Uniformity, under no less a penalty than the voidance of his election, to declare by his subscription, that he will conform to the Liturgy of the Church of England, as now *by Law established*. For similar reasons, every *Schoolmaster* is required to make the same declaration. And even they who qualify for *civil* offices, are required, under a similar penalty, not only to attend the public service of the Church, within three months after their appointment, but to join in the most solemn of its rites, the celebration of the Lord's Supper, after the manner and form prescribed in the *Book of Common Prayer*.

equally rejoice, if that study led *all* men to the *same* conclusions, as it led our English Reformers. But where is the use of rejoicing at an expectation which we know can never be realized? If the devout study of the Bible necessarily led to an approbation of the Liturgy, why is it still rejected by the *Dissenters*? And how are men to know what the excellences of the Liturgy are, if the Bible *only* is put into their hands? How can they make the comparison if they have not *both* Bible and Prayer Book? Suppose, however, it were *true*, that the study of the Bible, unaccompanied by the Liturgy, would lead all men to the same conclusions as it led our English Reformers, there can surely be no objection to put into their hands, at the same time with the Bible, a book which will lead them to those conclusions *at once*.¹ But since we know by experience, that the study of the Bible does *not* lead all men to the same conclusions, or there would not be so many Protestants who *differ* from the established church, may it not be said without reproach, that *Churchmen* should not content themselves with the distribution of the Bible *alone*?

III.

But, says Dr. Clarke, in language, applauded by the assembly, and repeated with approbation by the distinguished advocate of this Society, "Have we forgot that we are *Protestants*? What would Latimer, and Willey, and Chillingworth, have thought or said, had they lived unto this day to bear testimony to such a declaration?" What *Chillingworth* would have said shall be examined hereafter.

¹ The "Member of the established Church" already quoted in Note 1, p. 103, asks, indeed, whether uniformity of doctrine really *is* promoted by accompanying the Bible with the Liturgy? Perhaps not so completely as might be wished. But is this a reason for *omitting* the Liturgy when we give a Bible? Because it fails in *some* cases to do the good intended, shall we neglect it *in all*? If, even *with* the Liturgy, the effect is incomplete, what must be the case *without* it?—I take the present opportunity of informing this anonymous writer, who plainly shews to what party he belongs, when he speaks of the Bishop of Lincoln *contradicting* the doctrines of the Church, that though he had full liberty to examine my Address to the Senate, without putting his name, so far as relates to the *subject matter*, it is no less cowardly than ungenerous to attempt (as he has done in more than one passage) to traduce the *character of the author*. Such conduct does no honor either to himself or to the Society which he defends. When the *argumentum ad contumeliam* is wanted, one may always suspect a deficiency of the *argumentum ad judicium*.

But it requires *no* examination to discover, what Latimer and Ridley, what Cranmer and Hooper, what our great REFORMERS would have said, could they have foreseen that a Professor of Divinity in an English University would be publicly censured by *Churchmen and Clergymen*, within the precincts of that University, for urging the distribution of a Book, which *they* composed, and which contains the doctrines for which *they* died? It is not the distribution of the *Bible* to the poor and illiterate, (the only objects of *gratuitous* distribution) which exposes men to the danger of being seduced from the established faith, and is consequently injurious to the welfare of the Church; the danger arises from the *neglect* to give them also the *Liturgy*. And it is a gross perversion of my meaning, to ascribe to the presence of the *former*, what I ascribe only to the *absence of the latter*.¹ But the objection would be less popular, if they *directly* denied the utility of the Prayer Book. I can make great allowance for the effervescence produced by an ardent desire to become a *genuine Protestant*. But let not men suppose that they become *better Protestants* by becoming *worse Churchmen*. Let them not suppose that, because the Bible contains all things which are necessary for *salvation*, they do all things which are wanted on *their* parts, if they give not the Liturgy in aid of religious instruction. Men who entertain *this* notion, entertain it not in conformity, as they suppose, with the conduct of our Reformers, but in direct *opposition* to their conduct.

When our Reformers contended, and *properly* contended, for the *Bible alone*, they contended in opposition to those *other* sources of

¹ In a similar strain, the anonymous writer above quoted from the Shrewsbury Chronicle exclaims, "What, the *Bible* knock down the Church!"—No. It is not the *Bible*, that (in the elegant language of this writer) will knock down the Church; but the Church will be *undermined* if we neglect the *Liturgy*. Without the Liturgy, we *cease* to be Churchmen, and become Dissenters. We give up the very book which *makes* us Churchmen. If, by the term "Church," men understand the *universal* Church, or the whole body of Christians dispersed throughout the world, it is true that *our* Liturgy is not necessary for its support. *Whatever* be the form, under which Christianity is professed, it still belongs to the *universal church*. But when we speak of a *particular* church, as the church of *England*, that particular church must have something to *distinguish* it, beside that which is common to *all* churches. That our legislators are of this opinion is evident from Note p. 107. And such was the importance attached to the Liturgy by the Long Parliament, as the criterion, and the bulwark of the church, that, when they resolved to overturn the *latter*, they forbade the use of the *former* even in private.

authority, which were recognised by the Church of Rome. Without denying the validity of those other sources, such as tradition, and the decrees of Councils, they could never have secured to the Bible such an interpretation as they themselves believed to be true. For this purpose, it was previously necessary to divest it of the glosses which perverted its real meaning. But did they stop here, and leave the Bible without *any* interpretation? No. One of the first steps, which were taken, by Luther and Melancthon, was to compose a *Confession of Faith*, which, in their opinion, was founded on a *true interpretation* of the Bible. This Confession was afterwards improved into the Confession of Augsburg, which became, and still remains, the standard of Lutheran faith. Our own Reformers acted in the same manner. Though they asserted that the Bible alone contained all things which were necessary to salvation, they did not leave the *interpretation* of it to mere chance. From a knowledge of *former* perversions, they justly apprehended perversions of it in *future*. Nor was it possible, without devising some means of security, to prevent a relapse into those very errors, which they sacrificed their lives to remove. They deemed it necessary, therefore, to employ that knowledge of the Scriptures, which they so eminently possessed, in composing a system of doctrines, which are really founded on the Bible, when *rightly understood*.

But, says the Dean of Carlisle, (after properly observing that "our Liturgy itself owes its establishment to the free use of the Bible among the people") "I greatly mistake, if, among the numerous errors of the Church of Rome, there exists a more dangerous tenet, than that the Holy Scriptures themselves must be tried at the bar of the traditions of fallible men." Now, with great deference to the Dean of Carlisle, I would humbly ask him, whether we try the Scriptures by our Liturgy and Articles, or the Liturgy and Articles by the Scriptures? As far as my reading extends, I know of no Protestant, from the Reformers themselves to the Divines of the present age, who have had recourse to the *former* kind of trial. At least, I can answer for myself, that I have always made the *Scriptures* the test, by which I have tried the Liturgy and Articles: and the more frequently I have tried them by that test, the more firmly I have been persuaded, that the doctrines contained in them are *warranted* by Scripture. It is on this ground, and on this ground

only, that I recommend their distribution in company with the Bible, not as a "corrective," as Dr. Milner calls it, but as a *safe-guard* against the *false interpretations* to which men are now exposed on every side. Our Reformers themselves acted on the same principle. They did not withhold the Bible from general use, and say, "Here are the doctrines which are *decreed by the Church*." They laid it open to all men to compare it with the doctrines which they deduced; and they claimed the assent of the public to their *interpretation* of the Bible, on the ground of its *conformity* with the original. On the ground of this *conformity*, our Liturgy and Articles were afterwards sanctioned by the authority of Parliament, and were incorporated in the law of the land. No doubt, our Reformers were *fallible*, like other men. But the question is not, whether they were *fallible*, but whether they *failed*; not whether they *could not err*, but whether they *did* err. And I am sure the Dean of Carlisle will not assert that they *did* err, or he would not by his subscription, agreeably to the Act of Uniformity, have declared his "unfeigned assent and consent to *all and every thing* contained and prescribed in and by the book entitled the Book of Common Prayer." However desirous Dr. Milner may have been, to vindicate the distribution of the Bible *alone* by the Society, of which he is so zealous an advocate, however desirous, therefore, he might have been to hold out to public indignation a Professor, who contends for the distribution of the Liturgy in *company* with the Bible, it was surely incautious in a Dean and a Master of a College, to deliver, before a numerous body of young men, of whom the greater part were designed for holy orders, such sentiments as could not fail to diminish, in their estimation, the value of a book to which they will shortly subscribe, and which is really the bulwark of the established church. It is true, that Dr. Milner had previously declared, that no man could entertain a more exalted idea of our Liturgy than himself; nor do I question the sincerity of his assertion. But when he afterwards declared that he "would not represent the distribution of the Bible *alone*, as a thing that cannot be done with safety, unless accompanied with the *Corrective* of a Prayer Book of the Church of England;" when, mentioning the Liturgy again by name, he represented it as "*a dangerous tenet*," that the Scriptures should be tried by "*the traditions*

of fallible men," his hearers could not fail to apply this *last* expression to the Liturgy itself: they could not fail therefore to conclude that the Liturgy was not so necessary for a *true Protestant* as the Margaret Professor would make them believe. Nor was this the *only* unfavorable impression which must have been made on their minds. The very name of *tradition*, when applied by a Protestant to the Church of Rome, is a term of *reproach*. And is it wise in a dignitary of the Church to apply a term of reproach to the *Liturgy*? Let any man read the whole passage in connexion, and see, whether the expression "traditions of fallible men" can be construed of any thing else.¹ Dr. Milner first denies my position, that it was *necessary* to accompany the Bible with the Liturgy; he continues the subject of the Bible and the Liturgy, by saying (and very rightly) that the latter owes its establishment to the use of the former; and *immediately* concludes with the remark on the Bible, compared with the "*traditions of fallible men*." I should be very sorry to do injustice to the Dean of Carlisle by torturing his words into a meaning which they do not really convey: but I believe that men in general will understand them as I understand them myself. For, when a parallel is drawn between two books *by name*; when that parallel is *repeated*, and *also* by name; and a third time, immediately following the second, the parallel goes on with *one* of those books again by name, but with a *circumlocution* for the other subject of comparison, it is impossible that the circumlocution should apply to any other book than that which had been *already mentioned*. No allusion even had been made to any *other* book. When we consider, therefore, that this speech has, with the approbation of the author, been printed in a public paper, and disseminated, not within its *usual* limits, but throughout the whole kingdom, what a notion will men form of the University of Cambridge, when they read that the Master of a College, whose name stands deservedly so

¹ The paragraph to which I allude, in Dr. Milner's speech, is the following, as printed in the Cambridge Chronicle. "My Lord, our Liturgy itself owes its establishment to the free use of the Bible among the people; and I greatly mistake, if, among the numerous errors of the Church of Rome, there exists a more dangerous tenet, than that the Holy Scriptures themselves must be tried at the bar of the traditions of fallible men." This sentence was delivered by Dr. Milner immediately after his censure of my position, that the Liturgy should be distributed in company with the Bible.

high as that of Dr. Milner, not only reprimands a Professor of Divinity, as being unnecessarily anxious for the distribution of the Liturgy, but compares that Liturgy with *Popish tradition*: Language like this, though it may well justify the distribution of the Bible *alone*, is better calculated to serve the cause of the Dissenters, than the cause of the Church.

The same effect must be produced, when, to justify the distribution of the Bible *alone*, it is asked by Dr. Clarke, whether the light of revelation “shall be conveyed through the public portals of the temple, or by the gate belonging only to the priests.” If our Reformers were now alive, these *priests* who composed the Liturgy and Articles, they would tell him that their office was only *ministerial*; that the knowledge of the book of life was not derived from them, and them *alone*; that they desired not to stop the pilgrim at the *threshold* of the temple; that they were ready to admit him to its *innermost recesses*: but, since between the portal and the altar were dark and intricate passages, where many a pilgrim had lost his way, they requested only permission to present him with a *clue*, which would lead him in safety. If the Liturgy is not wanted, why do Churchmen now object to the religious instruction of Mr. Lancaster: Mr. Lancaster adopts the *Bible*, and the Bible *alone*. He disdains, with our present advocates, “the gate belonging only to the priests,” and approaches at once to “the portals of the temple.” But having ventured without a clue to explore the innermost recesses, he was bewildered in his way, till at length he wandered to the devious presage, where Christianity itself becomes lost from the view.

IV.

But let us descend from allegory, and draw a parallel in common language between the religious instruction afforded by Mr. Lancaster, and the religious instruction afforded by the modern Bible Society. The former confines religious instruction to the *children* of the poor, the latter extends it to *adults*, who are frequently in equal want of it. Both agree in providing a *Bible*; both agree in leaving that Bible unaccompanied with the *Liturgy*. But the omission of the Liturgy, in the instruction of *children*,

with the consequent want of provision for their going to church, and their being educated as *churchmen*, is at present very generally admitted by the friends of the establishment, to be dangerous to the welfare of church and state.

Now the fundamental principle, which pervades the *whole* of my Sermon at St. Paul's, is the necessity on the part of churchmen, of associating the *Liturgy with the Bible*. In the five first sections, that principle was applied to the instruction of *children*: in the sixth to the instruction of *adults*; and if the principle is *generally* true, it must no less apply to the latter, than to the former. That my sentiments on this subject may be fully understood, I will transcribe that passage in the sixth section, which relates to the importance of adding the Liturgy in the distribution of the Bible. "Where the Church of England is established, it is not Christianity under *any* form, which it is *our* duty to promote. *Our* exertions (though without the smallest restraint on the zeal of other parties) must be *especially* directed to the furtherance of that system, which we are *especially* pledged to support. The Society therefore for promoting Christian Knowledge does not confine itself, where the Church of England is established, to the distribution of the Bible alone.* It adds the *Liturgy*, in which

* This is the expression, which has been so ingeniously tortured, though I have had the precaution, both here and elsewhere, to explain the meaning of it, by saying that the *Liturgy* should be added, as being the book in which the doctrines of the Bible were *correctly* derived from it. If my objection, therefore, had been *fairly* stated at the Town Hall, it would have been simply this; that I objected (namely on the part of Churchmen) to the distribution of the Bible alone, or *without the Liturgy*. But *this* statement would not have produced the effect intended. The comparison would then have been between Churchmen and Dissenters; and as the Liturgy is the book, which makes the distinction between them, the Dissenters themselves might at least have *thought*, that the Margaret Professor was not very unwise in *contending* for the Liturgy. But by stopping short at the words BIBLE ALONE, Dr. Clarke was enabled to give a new turn to the expression, and to convert the *real* parallel between Churchmen and Dissenters into a *fictitious* parallel between Protestants and Papists. "Have we forgot that we are *Englishmen*? Have we forgot that we are *Protestants*?" &c. — No. But you forget, that you are *Churchmen*.

After all, I am unable to discover where the *Popery* lies in recommending the distribution of the Liturgy with the Bible. Catholics give no *Bible at all*; whereas I contend for the *Bible* as much as any man, though I object to our losing sight of the *Liturgy*. Why, says Dr. Milner, of all the errors of Popery, there is none more *dangerous*, than that of tying the Holy Scriptures at the bar of

those doctrines are *derived* from the Bible, which we believe to be *correctly* derived from it. For, though, without the Bible, the Liturgy has no support, yet without the Liturgy men are left in *doubt*, whether the principles of *our* faith should be embraced by them, or not. Without the Liturgy, they want a *guide*, to lead them to the Established Church. Without the Liturgy, the Bible may be *misapplied* to doctrine and discipline most discordant with our own. Where the Church of England therefore is established, the Bible and the Liturgy should be united. For *every* Christian party either *finds*, or *supposes* that it finds, its peculiar tenets in the Bible. And hence the Act of Uniformity expressly enjoins, that no Sermon shall be preached or Lecture given, except in the University Churches, till after the *Liturgy* has been publicly read."

It is worthy of remark, that though the Sermon, from which this extract was taken, passed through so many editions, and was generally read, I never heard of any objection, that was made to it by the *friends of the establishment*.¹ The National Society was avowedly founded on the *fundamental principle* of that Sermon; and in the Address to the public, which was printed at the head of

the traditions of fallible men. But the trial, which I have uniformly made, is the trial of the Liturgy by the Bible, not the Bible by the Liturgy. But, as I was accused in my absence, and under circumstances, which would have prevented my being heard, had I been present, the whole assembly was impressed with the notion, that the Margaret Professor had so far departed from the principles of a Protestant, as to maintain that the *Bible alone* containeth not all things, which are necessary for *salvation*. It is true, that no one ventured to say so in *positive* terms, especially as I had declared in that very Address, which Dr. Milner then held in his hands, that the Bible was the "*only fountain of religious truth*." But men scruple not to *insinuate* what they dare not *assert*.

¹ Indeed an Honor was conferred on this Sermon, which I believe was without precedent: for at the first public Meeting at Bartlett's Buildings after the Sermon was preached, it was resolved (the Archbishop of Canterbury himself being in the Chair) that the publication of it should not be deferred, as usual, till the time of circulating the Society's packet, but that it should be printed *immediately* on account of its great importance. This resolution gave rise to the five or six editions of it, which preceded the Society's edition, consisting of five thousand copies. But how greatly soever it may be approved by the *friends of the establishment*, I must of course, and indeed for this very reason, expect that it will be assailed by those, who are unwilling that the National Religion should be made the foundation of National Education.

the Resolutions, for the regulation of that Society, the *Liturgy* was mentioned by *name*, as essential in religious instruction. The principle, which, when applied to the instruction of *children*, had been illustrated in my Sermon by the system of Dr. Bell, was illustrated in the same Sermon, when applied to *adults*, by the practice of the Society for promoting Christian Knowledge. Between the system of Dr. Bell, and the practice of this Society, which is a Society for *Bibles and Prayer Books*, there is the same analogy, as between the system of Mr. Lancaster and the other Society, which is a Society for *Bibles alone*. The application of the principle to this other Society was *implied* however in the Sermon, and not *formally expressed*. But when the Address to the Senate, which contains precisely the *same sentiments* as the sixth section of the Sermon, and several sentences even in the *same words*, exhibited an application of the principle to this Society *by name*, it was *then* discovered, that the general principle, for which I had contended, was equally directed to the Lancasterian System and the Bible Society. It was *then* discovered, that sentiments which were *approved* when supposed only applicable to the former, were matter for reproach when it was found that they applied to the *latter*. And the fundamental principle of the whole *Sermon* appeared in a *new light*, as soon as the *extent* of it was distinctly perceived. The very men, therefore, who had supported me in its application to the religious instruction of Mr. Lancaster, (among whom I may reckon Dr. Milner himself,)¹ were suddenly converted into zealous *opponents*. Even friendship was sacrificed, and it was determined that the Author of the Address should be crushed. The result is known: the Speeches made on the occasion are before the public; and I have now presented my defence.

But the analogy of this Society to the Lancasterian System, extends only to its operations *at home*, or where the *Church of England* is established. Its operations *abroad* are not only unobjectionable, but *highly laudable*: and, though I think they have been greatly exaggerated, though I think they have been described in terms, which violate both truth and candor,² they are certainly

¹ I draw this inference from Dr. Milner's readiness, when I waited on him, to subscribe to the National Society.

² See the Appendix.

productive of great and unmingled good. 'The Liturgy of our Church has no concern with the distribution of Bibles, where Christianity is professed under a *different form*. Neither duty nor interest require us, in this case, to do more than distribute the Bible. For this purpose I would gladly offer the right hand of fellowship, not only to *Protestants* of every description, but to the members of *all other churches*, dispersed throughout the world. For this purpose, we should ^{all}, as Christians, engage on *equal* terms. Being concerned *alike* with the distribution of the *Scriptures*, being alike desirous of promoting the *general* cause of Christianity, we should act on a principle, which *was common to all*. The welfare of the *universal* Church would be promoted, and the welfare of the *Church of England* would be unimpaired. But, when Protestant Churchmen and Protestant Dissenters combine for the distribution of Bibles *at home*, and a Society thus composed omits the Liturgy, because the Dissenters could not otherwise partake of it, *such* a Society is formed on terms of inequality, and the *sacrifice* is made on the part of the church.

V.

That its dangers will increase in proportion as the Liturgy is disregarded, is not the surmise of a gloomy imagination, but a *fact*, recorded in the annals of our country. The history of religion in the reign of Charles the First will especially supply us with matter for serious reflection. Some time before the Liturgy was *formally abolished*, we may discover in the writings of the English Divines, not only of the puritanical, but even of the royal party, such traces of indifference in this respect, as will assist us in explaining the subsequent events. The very writer, who is quoted by Mr. Vansittart, though a godson of Archbishop Laud, and a declared enemy of the puritans, had a notion of *generalised* Protestantism, which perfectly accords with the notion at present entertained by the advocates of the modern Bible Society. In a passage immediately preceding the sentence, which Mr. Vansittart has quoted

from the works of Chillingworth,¹ this celebrated writer explains himself in the following words :—"By the *Religion of Protestants* I do not understand the doctrine of Luther, or Calvin, or Melancthon, nor the Confession of Augusta, or Geneva, nor the Catechism of Heidelberg, nor the *Articles of the Church of England*, nor the Harmony of Protestant Confessions." Then comes the sentence, that "the Bible only is the Religion of Protestants." The Protestantism therefore of Chillingworth, was not the Protestantism expressed in our Liturgy and Articles, but Protestantism *in the abstract*, that is, abstracted from all *particular* Confessions of Faith, and among the rest, as he expressly declares, from that, which is adopted by the *Church of England*. Indeed it is well known that Chillingworth had *objections* to our Liturgy and Articles,² though he was introduced, in two of the late speeches, as a *companion* for Latimer and Ridley, who were Cranmer's chief assistants in *composing* the Liturgy and Articles.³ But though Chillingworth, as appears from the preceding extract, rejected from his general notion of Protestantism the *particular* Creeds which he mentions by name, he could not refuse to admit, that *some* Consequences must be deduced from the Bible as Articles of Faith. For he adds, a few lines afterwards, that Protestants receive nothing as matter of faith and religion, "besides *It* (namely the Bible) and the plain *irrefragable and indubitable* Consequences of it." But Protestants of *every* description, however various and even *opposite* in their opinions, claim severally for themselves the honor of deducing from the Bible "irrefragable and indubitable consequences." The doctrine of conditional salvation is an "indubitable consequence" to the Arminian; the

¹ Mr. Vanstrait has not mentioned in *what part* of his works the sentence is contained, but it may be seen on turning to page 220 of the folio edition of 1704. •

² See the article Chillingworth in the Biographia Britannica, Note (K).

³ Nor is this the *only* difference between them. Latimer and Ridley, who were born more than a hundred years before Chillingworth, were educated in the Church of Rome, and became Protestants. Chillingworth was educated in the Church of England, and went over to the Church of Rome. And though he became a *Protestant* again, he became, as we see, a *generalised* Protestant.

doctrine of absolute decrees an "indubitable consequence" to the Calvinist. The doctrines of the Trinity, the Atonement, and the Sacraments, which the Church of England considers as "indubitable consequences" of the Bible would *not* be so, if the Unitarians and the Quakers were right in the consequences which *they* deduce from the Bible. But the consequences, which *they* deduce appear "indubitable" to *them*: and since they appeal as well as ourselves to the *Bible alone*, we cannot, according to Chillingworth's own definition, refuse them the title of *Protestants*. Now the notion of *generalised* Protestantism, which admits of no reference to any *particular* Creed, was well adapted to prepare the minds of men in the reign of Charles the First, for the subsequent abolition of the English Liturgy.¹ And if this system of generalised Protestantism, which is likewise maintained by Mr. Lancaster, continues to be maintained in the practice of the modern Bible Society, and in the vindications of its advocates, we may apprehend the same effect from the operation of the same cause. Men become so enamored of the Protestant in the *abstract*, that they abstract themselves from the Protestantism *by law established*.

If we proceed in our inquiries, and examine the several steps, which intervened between the introduction of this notion of generalised Protestantism, and the abolition of the Liturgy altogether, we shall find additional matter for serious reflection at the present period. The party comprehended under the name of Puritans, which was daily increasing in numbers and power, were secretly attached, as well to the *discipline*, as to the *doctrine*, of Calvin, though they continued to affect a regard for the Liturgy, till their plans were ripe for execution. But, as soon as Laud, Archbishop of Canterbury, and Wentworth, Earl of Strafford, were committed to the Tower, the Long Parliament began to concert measures for its total abolition. The first step was taken by the upper

¹ The celebrated work of Chillingworth, entitled, "The religion of Protestants a safe way to Salvation," which he wrote after his return from Popery, was first published in 1637. It was highly esteemed, as a controversial work, against the Catholics, and was universally read as soon as published. But it served the cause of the Puritans as much as the cause of the Church; inasmuch as the Protestantism, which it defends, is *generalised* Protestantism, according to the system of Mr. Lancaster, and the modern Bible Society.

House in March 1610-1, when a *Committee for religion* was appointed, consisting of *ten* spiritual, but of *twenty* temporal Lords, with power to call to their assistance such Divines as they approved. Having debated on the subject of the *five Points*, and condemned the *Arminian* exposition, the Committee proceeded to a reformation of the *Liturgy*: but after various debates, which continued nearly two months, the Committee broke up without coming to a decision.¹ A measure, adopted about the same time by the House of Commons, was more effectual, because it went on so broad a basis, that the object in contemplation was not immediately perceived. The puritanical party in that house, under the pretence of removing the anxiety of the episcopal party, who saw dangers to the church arising from every quarter, proposed the following oath, which was called the Protestation. "I, A. B. do in the presence of Almighty God, promise, vow, and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed Protestant religion, expressed in the doctrine of the Church of England, against all Popery, and Popish innovation within this realm, contrary to the said doctrine; and according to the duty of mine allegiance, I will maintain, and defend his Majesty's royal person, honor, and estate."² The episcopal party, not aware of the *generalising* system of the Puritans, and supposing that the words "Protestant Religion expressed in the doctrine of the Church of England," meant the Protestant Religion expressed in the *Liturgy*, that is, according to the doctrine and discipline of the Church of England, *as by law established*, very readily concurred in this oath of Protestation. But they soon discovered, that the *secret* object of the Protestation, was to *abolish*, instead of *supporting* the *Liturgy*, which the Puritans now called the Service Book. For on the 13th day of the same month, when petitions were presented to the House of Commons by the two Universities in favor of the Church Establishment, and

¹ Collier's Ecclesiastical History, Vol. ii. p. 799.

² The whole of the *Protestation*, which contains also other matter, may be seen in Rushworth's Historical Collections, F. iii. p. 211. It was proposed and taken on May 3, 1611.

the episcopal party appealed to the late Protestation in support of those petitions, the majority of the House, which consisted of Puritans, came immediately to the resolution, that the words in question, "are not to be extended to the maintaining of *any form of worship*, discipline, or government, nor of rites and ceremonies."¹

Within a few months after this resolution a bill passed both Houses to exclude Bishops from a seat in Parliament:² and the King was at length compelled to give his assent. The Liturgy, having fallen into *discredit*, began now to be laid aside, though the use of it was continued by the Episcopalians as the only means of prolonging the existence of the still established church. Nor were the Puritans themselves less aware of its importance. They determined therefore to take the earliest opportunity of preventing the use of it altogether. When the civil war had broken out, and the power of the Convocation was at an end, the Parliament resolved to appoint in its stead an *Assembly of Divines* composed of members better suited to its purpose.³ This new Assembly of *Divines* was not composed entirely of *spiritual* persons, for some of the most zealous members, both of the upper and lower house, are placed at the head of the list; and scattered among the names of its inferior members are those of three Prelates, the Primate of Ireland, with the Bishops of Exeter and Bristol. The Assembly soon adopted a set of Resolutions (presented to parliament in the form of a petition) of which the eighth was, that "*the whole body and practice of Popery*, may be totally abolished."⁴ Now by the expression "*body and practice of Popery*," they could only mean the doctrine and discipline of the *Church of England*, which was still established by law, and was alone therefore "the body and

¹ The whole Resolution is given in Rushworth's Historical Collections, Part iii. p. 273.

² This Bill is given at length in Scobell's Collection of Acts, p. 21.

³ The ordinance for this Assembly is given in Scobell's Collection, p. 42—44. It is dated June 12, 1643. The names of the persons appointed are all enumerated in this ordinance.

⁴ Rushworth's Collection, Part III. Vol. ii. p. 515.

practice" which could be *abolished*. Indeed the terms *Liturgy* and *Popery* were among the Puritans *synonymous*: and at the very time they were destroying the Church of *England*, they invariably pretended, that their measures were directed against the Church of *Rome*.

At length on the 26th of August, 1645, the Lords and Commons assembled in parliament, repealed, at the suggestion of this Assembly, the Acts which had been passed in the reigns of Edward and Elizabeth, in *support* of the Liturgy, and enacted, that it be no longer used in any place of public worship.¹ The reasons alleged by the Assembly of Divines, are given in the Preface to the Directory, which they substituted for the Book of Common Prayer.² They allege that "the Liturgy used in the Church of England, notwithstanding all the pains and religious intentions of the compilers of it, hath proved an offence not only to many of the Godly at home, but also to the reformed churches abroad:—that the Prelates and their faction have labored to raise the estimation of it to such a height, &c.—that the Papists made their advantage this way, boasted that the Common Prayer came up to a compliance with a great part of their service, &c." Thereupon they declare that they have agreed to set aside the Common Prayer, "not from any love to novelty, or intention to disparage our first Reformers,—but that we may in some measure answer the gracious providence of God, which at this time calleth upon us for further Reformation." But the Liturgy, though the use of it was prohibited in public, continued to be used in private houses by the friends of the established church, whose numbers were still considerable.³ The Puritans therefore, who now governed in

¹ See Scobel's Collection, p. 75, 76.

² The Directory, so called from its containing *directions* in regard to the forms of public worship, is printed in Scobel's Collection, p. 77-92.

³ Before the Liturgy was abolished, petitions had been presented to Parliament from various counties in favor of the established church: and though the means of procuring signatures to petitions at *that* time are not to be compared with the present means of procuring them, the petitions in favor of the established church were signed by nearly *fifty thousand*. See Collier's Ecclesiastical History, Vol. ii. p. 622.

Parliament, well knowing that the use of the Liturgy, even *in private*, would keep alive that regard for the Church, which the wished to extirpate, obtained an Ordinance in the following month of August, by which the use of the Liturgy was prohibited "*in any private place or family*," under the penalty of five pounds for the first offence, ten for the second, and a year's imprisonment for the third.¹

No sooner was the Liturgy thus finally abolished, than a dispute arose between the Presbyterians and the Independents, the latter of whom *dissented from the newly established church*, and were called, therefore, in their controversies with the former, the Dissenting Brethren.² The Liturgy, which is a system both of doctrine and discipline, having been exchanged for the *Directory*, which relates more to the latter, the Independents, who would suffer no control, either in the one, or in the other, applied the same terms to the Directory, which the Presbyterians had applied to the Liturgy. The *new churchmen* in vain attempted to resist the *new dissenters*, by refusing that toleration, which men of every religion may justly claim. "Beware, lest out of cowardice ye *tolerate* what God would *not* have tolerated," said one of their preachers in his Sermon before the Commons. "Take heed of *Toleration*," said another in his Sermon before the Lord. "For God's sake, my Lords, let us not leave a *Reformation*, which may need a *Toleration*."³ But the *intolerance* of the Presbyterians found a counterpoise in the *power of the army*, which was thrown into the scale of the Independents. In this manner was *discipline* set afloat, as doctrine had been before: and public worship in the churches of this kingdom was regulated by the discretion or caprice of the officiating minister. Hence the number of religious sects, which arose about that period, exceeded all that are recorded

¹ See Scobel's Collection, p. 97.

² In 1643, a book was published in London, called, "Papers and Answers of the Dissenting Brethren, and the Committee of the Assembly of Divines."

³ These Sermons were preached, the one on March 25th, the other on April 29, 1646. More extracts of the same kind may be seen in c. v. of the work called, "A Century of Presbyterian Preachers,"

in the catalogues of Irenæus, Epiphanius, and Augustine. One of the celebrated preachers of *that time*, said in a Sermon before the Parliament, "There is such a numerous increase of errors and heresies, that I blush to repeat what some have affirmed, namely, that there are no less than a hundred and four score several heresies, propagated and spread in the neighbouring city, and many of such a nature, that I may truly say in Calvin's language, the errors and innovations, under which they groaned of late years, were but tolerable trifles, children's play, compared with these damnable doctrines of devils."¹ Bishop Beveridge in his Sermon on the Excellency and Usefulness of the Common Prayer, (a Sermon which should be read by every member of the Bible Society,) says likewise in reference to that age, and to the abolition of the Liturgy, "People being deprived of that, whereby they should have been edified, were immediately tossed to and fro with every wind of doctrine, until at length many of them fell into the most pernicious and damnable heresies, that were ever heard of in the Church. Yea together with the Liturgy they laid aside all distinction between sacred and common things, by which means the whole nation was in danger of being spread with profaneness and irreligion."²—Yet the very men, who are described in these extracts, had the Bible in constant use: the sectaries of that age were ready with a text of scripture for every occurrence, whether

¹ See Mr. Case's Thanksgiving Sermon for the taking of Chester. Also in the year 1610, (which was several years after the Liturgy began to be neglected, and one year after the total abolition of it) Mr. Edwards, a Calvinistic Clergyman, published a book containing many curious facts, under the title of "Gangrena, or a catalogue and discovery of many of the errors, heresies, blasphemies, and pernicious practices of the Sectaries of this time, vented and acted in England these four last years." I would particularly recommend a perusal of this book to those gentlemen who now contend for the distribution of the Bible alone. Even the Imprimatur of this Book is a curious document: it runs thus, "Reader, that thou mayest discern the mischief of Ecclesiastical Anarchy, the monstrousness of the much affected *Polarities*, and be warned to be wise to sobriety, and fear and suspect the pretended *New Lights*, I approve that this Treatise discovering the Gangrene of so many strange Opinions, should be imprinted."

² I take this opportunity of reminding the advocates of the Bible Society, that by their own acknowledgment, the Bible is capable of perversion, or they would not be perpetually boasting, that they give it without note or comment.

trivial or important. With the Bible in *their* mouths, they overturned both the altar and the throne. But they had the *Bible alone*, or unaccompanied with the *Liturgy*: they *expounded*, every man from his own *caprice*: and the sectaries became as *numerous*, as the interpretations of the Bible were *various*.

The tender p^lge with horny fists was gall'd,
 And he was *gifted* most, that loud^lest bawl'd.
 The *Spirit* gave the *doctoral* degree,
 And every member of a company
 Was of his *Trade* and of his *Bible* free. }
 Plain truths enough for needful use they found,
 But men would still be itching to *expound*.
 Each was ambitious of the obscurest place,
 No measure ta'en from *knowledge*, all from *grace*.
 Study and pains were now no more their care,
Texts were explained by *fasting* and by *prayer*.
 This was the fruit the *private* spirit brought,
 Occasioned by *great* zeal, and *little* thought.
 While crowds *unlearned*, with rude devotion warm,
 About the sacred viands, buz and swarm.
 The *fly-blown* text creates a crawling brood,
 And turns to maggots what was meant for food.
 A thousand daily *sects* rise up and die,
 A thousand more the perished race supply.
 So all the use we make of Heaven's discover'd will
 Is not to have it, or to use it ill.¹

¹ Dryden's *Religio Laici*. V. 403-424.—By way of contrast, not only with Bishop Beveridge, but even with the Calvinistic Divines above quoted, I will add a passage from Dr. Milner's Speech, which he introduced almost immediately after his censure of my position, that the Liturgy should accompany the Bible. "It is my firm belief, that if Dissenters of all denominations, by no means excluding Roman Catholics, or the members of our own communion, did but read and study their Bibles more constantly, and with more devout care and application, and with more of a direct view to improve the heart and correct the practice, *Christians of every denomination, without exception*, would approach much nearer to one another than they now do, *would actually coincide, or nearly so, in most essentials, &c.*" Surely, Dr. Milner, with his knowledge of ecclesiastical history, a knowledge, which he himself proclaimed in his own speech, could not be ignorant, that even in the *essentials* of Christianity, very different conclusions have been drawn from the Bible, and by men, of whom it would be very unjust to say that they had not studied it *deroutly*. There is, however, *one* method of producing *uniformity* of sentiment among those, to whom Bibles are distributed, even if they receive not the Prayer Book, and that is, by the addition of *Tracts*.

VI.

I have thus shown, as well from history as from argument, that the Liturgy is essential to the welfare of the established church; and that in proportion, as the former is disregarded, in the same proportion the latter must be endangered. I have been the more diffuse on this subject, because among all the writers, who have engaged in the controversy about the modern Bible Society, I do not perceive that any one, except myself, has pointed out the danger arising to the established church, from the practice of neglecting to give the *Prayer Book* with the Bible. I have

If for instance, they, who withhold the Liturgy, accompany the Bible with Calvinistic Tracts, the Bible in such company, will be *uniform* in the production of Calvinism.

The passage in my Sermon at St. Paul's, relative to this subject, has been already quoted in the fourth section of this pamphlet, and the address to the Senate contains precisely the same sentiments. Having stated the time of foundation and other circumstances relative as well to the *ancient* as to the *modern* Bible Society, I proceeded as follows:

"The two Societies agree in the very laudable object of distributing Bibles both at home and abroad, though the number of Bibles distributed by the latter, especially abroad, greatly exceeds the number distributed by the former. For not only are the funds of the latter much superior to those of the former, but those funds are employed in the distribution of Bibles *only*, whereas the funds of the former are employed partly on Bibles, partly on Prayer-Books, and partly on Religious Tracts, which are in unison with the doctrine and discipline of the Established Church.

"From this short statement, it appears that the former, or the *ancient* Society, is not only a *Bible Society*, but likewise (what the other is *not*) a *Church-of-England* Society. With the former it is an invariable rule, in promoting Christian Knowledge, to keep in view the Doctrines, which the members of the Society believe and maintain. Especially where the Church of England is established, they consider it as *their* duty to promote Christianity, not under *any* form, but under that particular form, which, above every other, they are *pledged* to support, which alone is the *source* of ecclesiastical and even of civil preferment. In conformity with that rule, the Society for promoting Christian Knowledge (the *ancient* Bible Society) distributes, in its home circulation, as well the *Liturgy* as the Bible: for though in the spirit of true Protestantism it acknowledges the Bible as the only *fountain* of religious truth, yet it knows, from the experience of all ages, that the waters of that fountain will be clear or turbid, according to the channel into which they are drawn. And as the members of the Society believe (though without reproach to those whose belief is different) that the doctrines of the Liturgy are *correctly* derived from the Bible, they consider it as

read again what was written by the two principal combatants, Dr. Wordsworth and Mr. Dealtry, and I do not find any *allusion* to this danger, though the more I consider it, the more I am convinced of its magnitude. It is true, that the question was agitated whether *religious tracts* should accompany the Bible. But *this* is a question, of very inferior moment to the question, whether the *Liturgy* shall accompany the Bible. The *Liturgy* is the *criterion* of the churchman. The *Liturgy*, by the law of the land, is the *test* by which churchmanship is tried. Whoever rejects the *Liturgy*, ceases to be a *Churchman*. But in respect to *tracts*, every man may exercise his own judgment, not only in respect to the *choice* of them, but in respect to the question, whether he shall omit them altogether. The *primary* duty of a Churchman is to provide the poor with *Bibles and Prayer Books*: the providing them with *Tracts* is only a secondary consideration. No harm can be done by giving the *Prayer Book* with the Bible: *much* harm may be done by giving *Tracts* with the Bible. On the other hand,

their indispensable duty, to unite the one with the other. Indeed uniformity of doctrine can never be produced without an adherence to this rule: for every Christian party either finds, or *supposes* that it finds, its peculiar doctrines in the Bible. But this salutary rule, so necessary to promote uniformity, so desirable therefore by every true Churchman, *cannot* be observed by the modern Bible Society: for such a rule would not only be *contrary* to its present avowed object, but absolutely *inadmissible* from the very *Constitution* of the Society."

I am aware, indeed, that the Christian Observer (under the head of Religious Intelligence for December 1811) has informed his readers that a Noble Earl, to whom I sent the Address, has confuted it in the following single sentence. "After all you have said, I am wholly unable to see, how the most extensive circulation of the Bible can possibly injure the Church of England." I admit that the Noble Earl did write to me a Letter containing this sentence. But it *cannot* be a *confutation* of my Address, for this plain reason, that it is no *contradiction* of it. The very Address, of which it is here called a confutation, *recommends* the circulation of the Bible: for it describes that circulation as a "very *laudable* object." The very Address, therefore, which is thus represented by the Christian Observer, and indeed by other advocates of the modern Society, as *inimical* to the circulation of the Scriptures, is itself a proof of its being *friendly* to that circulation. I am equally with the Noble Earl, and the whole army of my opponents, who are accustomed to say the very same thing, unable to comprehend how "the most extensive circulation of the Bible can possibly injure the Church of England." The point, on which I am at issue with them is, whether the Church of England may not possibly be injured by an EXTENSIVE OMISSION OF THE LITURGY.

much *good* may be done by the addition of Tracts, if they are *properly* chosen; and I believe there is no collection of tracts, which upon the whole is more entitled to the approbation of the true Churchman, than the twelve volumes published by the Society for promoting Christian Knowledge.*

But let us return to the Liturgy, and take a review of the several very interesting facts recorded in the preceding section, which deserve the more attention, as they have a striking similarity to the events now passing before us. We have seen, that in the first place was introduced a system of *generalised* Protestantism, of Protestantism *in the abstract*, or of Protestantism *abstracted* from all

* This Collection is arranged under the following heads; Tracts on the Holy Scriptures, on public and private Devotion, on the Catechism, on Confirmation, on Baptism, on the Holy Communion, on Christian doctrine and practice, on particular duties, against common vices, on the education and instruction of children and families, against Popery, against Enthusiasm. Tracts against *Enthusiasm* are particularly useful in the present age, whatever opinion may be formed of this, or that particular Tract. By Enthusiasm is not meant a well-tempered religious zeal, without which no Clergyman can be extensively useful. In religion we should have *zeal*, and also *moderation*: we must only endeavour (said Sir Richard Steele) to keep fire out of the one and frost out of the other. The advocates of the Bible Society, who certainly avoid the extreme of *frost*, prefer the Tracts against Popery, which are very excellent, and very useful, though not the *only* Tracts, of which we stand in need. But there is a *peculiar advantage* in quoting the Tracts against Popery, an advantage indeed of a *two-fold* nature. For since the Church of Rome admits Tradition to be *one* source of authority, and the Bible *another* source, every true Protestant, when arguing with a *Catholic*, must contend for the *Bible alone*. And as the very *nature* of the controversy between Catholics and Protestants excludes all consideration of the *Liturgy*, the Tracts against Popery by our most distinguished Divines, will supply passages in abundance; where mention is made of the *Bible alone*, and no mention is made of the *Liturgy*. Hence the practice of the modern Bible Society is *apparently* justified by such distinguished names as Tillotson, and Secker. But would Tillotson and Secker in a controversy with *Dissenters*, have approved the *distribution* of the Bible alone? Would *they*, would especially the latter, who wrote Lectures on the *Church Catechism*, have justified the neglect of giving the Prayer Book with the Bible? We have already seen what Bishop Beveridge, who was a *contemporary* of Tillotson, thought on this subject. And Tillotson himself, though bred among the Puritans, must from his *own* knowledge of the mischiefs which arose from the neglect of the *Liturgy*, have been induced to abstain from *recommending* that neglect. He well knew, that the grand distinction between Protestant *Churchmen* and Protestant *Dissenters* lies in the adoption or rejection of the *Liturgy*. He knew also, that the overthrow of the Church, of which he was a witness, proceeded not from Popery, but *Protestant, Dissenters*.

secular creeds. This soon became the favorite system of the Independents. And we know that it is a favorite system with the present advocates of the Bible Society; for they soar into the regions of high Protestantism, till the *Church of England* entirely disappears. Of the generalising system we have seen another instance in the famous *Protestation*, which the Puritans proposed to the Episcopalians: for while the latter supposed that the members of the House of Commons were protesting in favor of the Liturgy, the former, though using the same words, were protesting against it. An error, which bears some resemblance to it, is very prevalent in the modern Society, where we find protestations so very comprehensive, as not to comprehend the Liturgy. When the *Assembly of Divines* was instituted for the express purpose of advancing the cause of religion, it was honored with the names of three Bishops, and two Heads of Houses in Cambridge.¹ These things are worthy of notice, because it has been said, that the modern Society can never be injurious to the Church, because several Bishops and Heads of Houses have joined it. Further, the *Assembly of Divines*, when they had formed the resolution of abolishing the Liturgy, presented a petition to Parliament, to abolish "the body and practice of Popery." At present also, a Professor of Divinity is accused of Popery, because he pleads for the Liturgy. The *Assembly of Divines*, even when they set aside the Liturgy, declared they had no intention to disparage our first Reformers, of whom they speak in terms of the greatest respect. In like manner, the advocates of the modern Society profess enthusiastic regard for our Reformers, though they think it unnecessary to distribute the work, which those Reformers composed. The *Assembly of Divines* declared that "the Providence of God called on them for further Reformation." Whether the modern Society will lead to further reformation, is now the subject of inquiry. But there was another feature in the *Assembly of Divines*, which we may distinctly perceive in the modern Society. It consisted chiefly of

¹ I must not, however, neglect to mention, that the *Margaret Professor* was a member of this Assembly.—The names of the members are all given in the Ordinance for its appointment, printed in Scobel's Collection, p. 42. It is remarkable, that no Heads of Houses, and no Professors at Oxford, were enrolled in this *Assembly of Divines*.

Calvinists: and the Calvinistic Clergy of the Church of England are generally members of the modern Society. Now a man, who adopts the doctrines of Calvin, cannot be *zealously* attached to our English Liturgy. A Calvinist may in *many respects* have a great regard for it: but he cannot have *much pain* in parting with it, as it abounds with passages so decisive of *conditional* salvation, that no ingenuity can torture them into the language of *absolute* decrees.* Indeed we know that the English Liturgy was so offensive to the Calvinists of Scotland, that the very attempt to introduce it in that country produced an insurrection, which ended with the solemn League and Covenant, to which the English Calvinists acceded. And this very *Assembly of Divines* declared, in the Preface to the Directory, that "the Liturgy used in the Church of England, notwithstanding all the pains and religious intentions of the compilers of it, hath proved an *offence*, not only to many of the *Godly* at home, but also to the *reformed churches abroad*." Now the foreign churches, which go by the name of "*reformed churches*," are *Calvinistic*, the others being called *Lutheran*: and the persons, to whom the term "*Godly*" is applied, whether in ancient or in modern times, are easily understood.

Lastly, let us remember, that the language holden by the Calvinists in the reign of Charles the First exactly corresponds with the language now holden by many of the advocates of the modern Society. For a more intolerant and more persecuting spirit was never witnessed, than is frequently displayed in their writings and speeches, as sufficiently appears from the examples only, which are quoted in this Inquiry. The only difference is in favor of the *ancient orators*, who had the candor to declare their meaning, and to exclaim without reserve "*Take heed of Toleration*."

Should it here be asked, whether, arguing from analogy, and the experience of past ages, I am apprehensive, that the *same* measure

* When our Liturgy teaches us to pray, that the rest of our life may be pure and holy so that we may come to eternal joy;—that the ministers of Christ may so prepare the way, that we may be found *acceptable* in his sight;—that we may so pass through things temporal as *finally* to lose not the things eternal;—that we may so faithfully serve him in this life, that we fail not *finally* to attain his heavenly promises; such and similar expressions it is impossible to reconcile with Calvin's doctrine of salvation, which entirely *excludes* conditionality.

which was finally adopted by the Assembly of Divines, will be adopted in the present age, and that a *direct* attempt will be made to abolish the Liturgy by a formal appeal to the Legislature, I would answer that I do not suspect it. But I am not without apprehensions, that something *similar* will be attempted. We know that the *Liturgy*, by the laws of this country, is the *Test* of the Churchman; and, that a repeal of the *Test Act* is a thing, which has been already attempted, and is certainly not abandoned. Since therefore the *indirect* mode is the most practicable, we have the most reason to apprehend it. And here let me ask every cool and impartial observer, whether any thing can be better calculated to prepare the way for a repeal of the *Test Act*, than the rapid progress of the modern Bible Society. In proportion as the Liturgy is disregarded, in the same proportion must the *Test*, which in other words is the *Liturgy itself*, appear unimportant. Indeed, if the Liturgy is of so little consequence, as is now represented, the *Church Establishment* cannot be worth retaining, for it is the *Liturgy*, with its rubrics, which constitutes the service of the Church. That the *Dissenters* should unite under the banners of this modern Society is not a matter of surprise. And, if they unite under its banners for the very purpose of obtaining a repeal of the *Test Act*, no one has a right to blame them. It is their *interest* to do so, and, if Churchmen encourage them, the Dissenters themselves are free from reproach. But beside the Dissenters, it is well known that a considerable body of *Churchmen* are friends to a repeal of the *Test Act*. And, if they consider the progress of this Bible Society, as affording the means of obtaining their favorite object, they have a two-fold advantage in view, one of which is the removal of a restriction, which they consider (whether truly or not) as impolitic and unjust.

That there are Churchmen and Statesmen, who are not only desirous that the *Test Act* should be repealed, but consider the present progress of the British and Foreign Bible Society, as the most *effectual means* of obtaining that repeal, can hardly admit a doubt. The speech of Mr. Whitbread, at the late meeting at Bedford for the formation of an Auxiliary Society, is so decisive on this subject, that further evidence is superfluous. After dwelling with pleasure on the advantages of having the *Bible alone*, he said, "he

firmly hoped and believed that in a time *much shorter than could have been anticipated*, Christians will maintain their Christian character and profession, without regarding the *points of difference* which subsisted among them: The barrier *from this time* might be considered as *broken down*; and it should be his endeavour, to demolish and prevent the *vestige* of it from being left.”¹ Now the barrier between Churchmen and Dissenters, the barrier interposed by the *law of the land*, & the Test Act. What therefore can we conclude, when it is said, that not a *vestige of this barrier* shall remain, than, that a repeal of the Test Act is in contemplation? And the progress *already* made toward the effecting of this purpose, by the rapid advance of the Bible Society, (to which we have had nothing similar, since Peter the Hermit went preaching the Crusade) was viewed, in such a light, that this barrier *even then* was represented as “*broken down*.” And, if it was broken down by the Auxiliary Society at Bedford, what *further* havoc must have been made on this barrier by the Auxiliary Societies, now established at Colchester, at Ipswich, at Huntingdon, and in the *University of Cambridge*!

I know indeed, that there are *other* Statesmen not inferior in talent to Mr. Whitbread, who espouse this Society with equal zeal; and yet, when the repeal of the Test Act is proposed (as Mr. Whitbread intimates, and which the Dissenters are really *encouraged* to attempt) will think it their duty to *oppose* that repeal. And, as no man would *designedly* encourage what must tend to *facilitate* a measure, which he *disapproves*, we must conclude that every Statesman, who is desirous of *retaining* the Test Act, and yet promotes the progress of this Society, promotes it without apprehending the injurious effects, to which, if the arguments already used have any validity, it must ultimately lead. I sincerely lament that I have the misfortune to differ upon this subject with men of such distinguished abilities, and such acknowledged integrity, that this difference alone is sufficient to excite a distrust of my own opinion. But I have considered the subject in all its bearings, and perhaps with more at-

¹ I have copied this passage from Mr. Whitbread's Speech, as printed in the Cambridge Chronicle of December 27, 1811; and, as it was inserted by order of the Bedford Committee, the Speech so printed may be considered as an official document.

tion, than can possibly be bestowed on it by men in high situations. It is of all subjects, on which I ever undertook to write, the most intricate and perplexed. And, though at various times I have instituted inquiries, which demanded close reasoning and profound thought, I never entered on a subject, which required so *much* penetration, as the present. It is a subject of so extraordinary a nature, that, while orators, whose wisdom never goes beyond the surface, feel competent to decide, there are points in it, which may elude the discernment of the most sagacious and profound. Nor is it difficult, to assign the reason.

There is nothing, which so prevents men from seeing the danger of an object, as, when in the pursuit of that object they are animated by *religious zeal*. With the prospect of extending the *universal* church, men find it difficult to contract their views within the limits of a *single* church. With the prospect of promulgating the gospel to *distant regions*, where its light had never shone, they view, through a glass inverted, the *danger at home*. And to the danger, thus diminished, they are ready to close their eyes, if the removal of that danger obscures the glory of the prospect. But if I have succeeded in presenting that danger in its *true light*, and its *natural magnitude*, we have then sufficient guarantee that it will be averted as zealously, as it has been inadvertently promoted.

If I have succeeded in presenting that danger in its true light and its natural magnitude, we may then also be assured that every other Churchman, who is swayed by *religious* motives, will be ready to *apply* the remedy, which shall appear most conducive to its removal. Their regard for the *general* good will outweigh the private feelings, which accompany the acknowledgment of a mistake. They will recollect that the wisest and best of men are liable to error; that they are *especially* liable in the great and important concerns of religion; and that there is *no* subject, in which, from its extreme intricacy, men are so liable to error, as in the present. We have further assurance in the repeated declarations of distinguished Churchmen, who have often declared, that they never would encourage the Society, if they perceived any danger, and who are pledged therefore to seek a remedy, when they *do* perceive it. And those respectable Bishops, who have honored the Society with their patronage and support, to whom no man of common sense would ascribe dis-

honorable motives, since the higher our rank the more deeply are we involved in considerations as well of interest, as of duty, those respectable Bishops, who, as constituted guardians of the church, are more than *other* men responsible for every act, which may *endanger* it, will, I am confident, examine, with care and impartiality, the arguments which are used in this Inquiry, and, if finally they are of opinion, that danger *exists*, will suffer neither time to be lost, nor labor to be spared, in the application of a remedy. Nor is the responsibility *much* less with those, who preside in the two Universities : for if the Society is attended with *evil*, it receives a ten-fold augmentation, by being fixed in a seat of education. If an evil is great when only *local*, what must it be, when established in a place, where the youth of this kingdom will be taught to *embrace* it, and to *disseminate* that evil throughout the British dominions?

VII.

Having explained what I apprehend to be the *chief danger* of the modern Bible Society, I ought not to close the Inquiry, without considering what *remedies* may be applied. But before we consider what *may* be applied, let us consider what *may not* be applied, because the question will be thus reduced to a narrower compass, and more easily brought to a point.

If the Church is in danger from this Society, the most effectual remedy, in the opinion of its *advocates*, is, that Churchmen in general should become members of it, and thus obtain a preponderance over the Dissenting Interest. On this account Mr. Vansittart, in his Letter above quoted, hopes that the time is not far distant, when the Society will be patronized by the whole episcopal bench. "This" (says Mr. Vansittart,) "would appear to me the most effectual remedy for any supposed danger from the *dissenting influence* in the Bible Society?"—But is it not owing to the *dissenting influence*, that, when the Society distributes Bibles *at home*, those Bibles are not accompanied with *Prayer Books*? Are not *Prayer Books* omitted for this very reason, that it is a *joint concern* between Churchmen and Dissenters? A religious Society, consisting of *Churchmen*, has nothing to prevent it from distributing both Bibles and *Prayer Books*. But as soon as the *dissenting influence* is mixed with the

Church influence, the distribution of the Prayer Book by a Society so composed is at once *prevented*. Even therefore, if all the Bishops and all the Clergy in England and Wales became members of the Society, it would still remain a Society for *Bibles alone*. No preponderance whatever, on the part of the Church, could alter the *constitution* of the Society. The evil consequences, therefore, of neglecting to give the Prayer Book with the Bible, instead of being *diminished* by an accession of Churchmen, are *really increased* by it. For every addition of Churchmen is an addition of *contributors* to the evil.

If it be said that Churchmen, who become members of this Society, are not restricted in their *individual capacity* to the distribution of the *Bible alone*, I answer that the very circumstance of their joining this Society, though it does not actually *prevent* their procuring Prayer Books elsewhere, has a *natural and necessary tendency* to diminish, in the opinion of Churchmen themselves, both the *importance* of the Liturgy, and the consequent frequency of its *distribution*. As this *tendency* of the Society is very important in its effects, and yet in general is not perceived, it will be worth our while to analyse, and examine it in its several relations. I would not insist on the *additional difficulty*, to which men are exposed, when the Bibles and Prayer Books, which they distribute to the poor, must be sought in *two* Repositories instead of *one*, because this additional difficulty *might* be overcome by a proportional increase of zeal for the Book of Common Prayer. But the misfortune is, that as the difficulty *increases*, the inclination to remove it *diminishes*. When men are accustomed to procure Bibles from a Society, which furnishes at the same time the Prayer Book, they acquire the *habit* of associating the one with the other. But a habit of a contrary description is acquired by belonging to a Society, which furnishes the *Bible alone*. This habit occasions a *forgetfulness* of the Liturgy, with a consequent *indifference* to it. And this indifference is increased by a co-operation with those, who not only *omit* the Liturgy, but *reject it altogether*. Nor is mere *indifference* to the Liturgy the sole effect of this Society. Men are always inclined to *justify* the conduct of the Society, of which they are members; for in so doing they *justify themselves*. Hence it is, that the *fundamental law* of this Society, the distributing the *Bible alone*, becomes, even among *Churchmen*, in the first place a matter of *excuse*, and gradually a

matter of *approbation*, till at length the apology must be made by those, who *contend* for its union with the Liturgy. Such is the consequence of this boasted union between Churchmen and Dissenters. When men of *different* religious principles are accustomed to act in *concert*, and to act on the principle of *one* party, that principle not only becomes the leading principle of the *whole body*, but gradually *approves* itself to the whole body. When Churchmen, who have a Liturgy, and Dissenters who have *none*, agree in forming a Society, which by its constitution *excludes* the distribution of the Liturgy, the *whole* Society conforms to the principle of the Dissenters. For, though there is a principle, which is common to them all as *Christians*, namely, the distribution of the *Bible*, yet the principle, which is peculiar to the *Churchman*, is wholly *disregarded*. Hence arises that notion of *generalised* Protestantism, which has been lately the theme of admiration: and because the *Bible only* is the religion of the *Protestants*, they disregard all *distinctions*, which separate *one* class of Protestants from *another*. In this manner do Churchmen become advocates of a principle, which, *if they had never belonged to this Bible Society*, they would probably have *condemned*.

In the preceding paragraph I have estimated the *tendency* of this Bible Society to produce an indifference to the *Liturgy*, among Churchmen in *general*: and I have shown that the bare *connexion* with it is sufficient to produce the effect, even when unassisted by the operation of *other* causes. I have taken nothing for granted, in respect to any *peculiar* doctrines, which those Churchmen may espouse, who are the most *zealous advocates* of this Society. The arguments, which I have here used, have derived no part of their energy, from the consideration of that bias, which the principles of *Calvinism* may give to those Churchmen, who are members of the Society. I have not argued from the practice (whether real or imaginary) of Churchmen supplying the place of the Liturgy with *Calvinistic Tracts*: though, if it be *true*, that, such Tracts (or even *verbal Expositions*) are communicated with the Bible, the omission of the Liturgy may be more easily explained. I have left *this* consideration to those, whose *connections* may afford them the means of more accurate information. I have here appealed to *no fact whatever*: I have deduced an *indifference* by the sole aid of *abstract reasoning*.

But facts *may* be produced, and facts incontrovertible, which ~~put the truth~~ of the inference beyond a doubt. The speeches and writings, which have been lately given to the public, contain decisive evidence on this subject: and I sincerely rejoice, that my Address to the Senate has been the means of bringing the Advocates of the Society to a full *explanation* on this subject. The tendency of their Society is now *apparent*. And the means of averting the *danger* of it will be the more readily applied, in proportion as that danger is more distinctly perceived. It would be a waste of time to quote every sentence, in which my objection to the *distribution of the Bible alone or without the Liturgy* has been publicly censured. Quotations have been already given from the Letter of Mr. Vansittart, and the speeches at Cambridge: and after *such* authority, we need not appeal to other Letters, or other speeches. It is sufficient to say that my objection to the omission of the Liturgy *has* been condemned by the advocates of the Society; that they have *generally* condemned it, wherever the Address has been noticed; and that the most distinguished of these advocates have been the most *strenuous* in their reproof. The FACT therefore, that the practice of neglecting to give the Prayer Book with the Bible, is now *justified*, and justified by *Churchmen themselves*, is established beyond contradiction.

Shall we recommend it therefore to Churchmen to become members of a Society, which not only has a *tendency* to bring the Liturgy into neglect, but which already, as we know by experience, *produces* that effect? If Churchmen, by becoming members of it, learn to *justify* the omission of the Liturgy, it cannot be supposed that they will *correct* that omission, by supplying, *individually*, what the Society in its corporate capacity *withholds*. If they learn to *censure* the position, that Churchmen should not content themselves with giving the *Bible alone*, it would be very extraordinary if they afterwards *conformed* to that position. And, since the vindication of the neglect in question is sanctioned by the authority, not merely of *minor* orators, and *minor* letter-writers (whose number indeed is now considerable) but of distinguished and exalted characters, whose opinions must influence the *public*, it would be a poor consolation to produce examples of churchmen, who, though members of this Society, are sensible of its defects, and endeavour

to supply them by their *individual exertions*. For such examples would not only be exceptions to the *general rule*, but exceptions to the *indication* of that rule. We must argue, not from *single instances*, but from the *general character* of the Society, and its *general effects*.

And what are those general effects, but to bring into neglect the *butwark* of the *established church*? When Churchmen and Dissenters unite in a society for the distribution of the *Bible alone*, even where the Church of England is established, and Churchmen conform to this regulation, because the Dissenters could not otherwise join with them, they sacrifice their *own principles* to those of the *Dissenters*.—If the operations of the Society were confined to *foreign countries*, the objection, which is founded on the omission of the Liturgy, would at once be removed. The Liturgy of a *particular church* has no concern with the distribution of Bibles, where that church is *not established*. But where it is established, we must either preserve the *criterion and test* of that establishment, or abandon the establishment *altogether*. When Churchmen and Dissenters therefore agree to act on a principle, which *excludes* that criterion and test, and excludes it where the Church of England is established, an union of *such parties* on *such a principle*, must ultimately lead to THE RUIN OF THAT PARTY, WHICH MAKES THE SACRIFICE.

When Dissenters distribute the Bible alone, they do *all* that is requisite on *their part*. They have no Liturgy to distribute; and consequently omit *nothing*, which either their duty or their interest requires. But, when Churchmen, who *have* a Liturgy, neglect

* As far as I can judge, the very reason which is assigned for *not* giving the Prayer-Book with the Bible, is a reason why Churchmen should be careful to *abstain* from that neglect. The more desirous the Dissenters may be, that the Prayer-Book should be *omitted*, the more desirous should Churchmen be to *discontinue* it. But if I understand Dr. Milner rightly, he considers the objection of the Dissenters to the Liturgy, as a reason not only why Churchmen may *omit* the Liturgy when they give the Bible, but why they may omit it *with safety*. For he says, the adoption of the Liturgy "is not to be expected while Dissenters of *various* denominations adhere to their present system of ceremonies and church government, I would not represent the distribution of the *Bible alone*, as a thing that cannot be done *with safety*, unless accompanied with the *Corrective* of a Prayer Book of the Church of England."

to distribute it with the Bible, both duty and interest are neglected off their part. They neglect the distribution of the book, which constitutes the Churchman. They make approaches therefore to the Conventicle, while the Conventicle makes no approaches to the Church. Thus the Church is undermined, while the Conventicle remains entire.

So long therefore as the British and Foreign Bible Society retains its *present constitution*, I can discover no other remedy for the evil, which has been the subject of this Inquiry, than that Churchmen should *withdraw* from it, and *transfer* their contributions and their influence to that true *Church of England Society*, the Society for promoting Christian Knowledge.

VIII.

I know, indeed, that Mr. Vansittart has prepared against this proposal so redoubtable a dilemma, that the advocates of the modern Society regard it as *impregnable*. If Churchmen withdraw themselves from the British and Foreign Bible Society, one of two consequences, says Mr. Vansittart, will inevitably follow. The Society will either cease to exist; or, it will be conducted in

I will here take the opportunity, in reference to the preceding Note, of exposing one of the many misrepresentations, to which my Defence of the Church has exposed me on every side. One of the Orators at Huntingdon, whose speech is recorded in the Cambridge Chronicle of January 10, 1812, took the liberty of informing his hearers, that there was an unnatural son of the Church, who did more than intimate "that the circulation of the pure Word of God without note or comment endangered her, and that those Scriptures stood in need of a CORRECTIVE." Of the misrepresentation in the first part of this sentence enough has been said already. But as the Orator has here ascribed to me a term; which I have never used, and I have the charity to suppose that he did it by mistake; misled perhaps by Dr. Milner's Speech, it is necessary for me to declare; not only that I never applied to the Liturgy the term *Corrective*, but that I have never spoken of it in such a manner, as to warrant the conclusion that I consider the Liturgy as a *Corrective* of the Bible. On the contrary, I represented, in that very Address, which has been the subject of criticism, the Bible as the *Corrective* of the Liturgy, not the Liturgy as a *Corrective* of the Bible. See the passage quoted in Note, p. 126, where I recommended the Liturgy on the ground that "the doctrines of the Liturgy are correctly derived from the Bible."

future by Dissenters alone. Now I readily admit that from those premises, one of these two consequences *must* follow, and therefore that no exception can be taken to the *dilemma itself*. Let us next attend to the *application* of it, and begin of course with the *first* part of the alternative.

“In the first case (says Mr. Vansittart) you would have crushed an establishment, which has done more for the diffusion of *Christianity*, than has been effected in the same space of time in any age since the *Apostolic*; which has in *seven years* been the means of preaching the gospel in *fifty-four* languages. This would indeed be putting out *one of the eyes of Britain*.”—Now even were it *true*, that the exertions of this Society in foreign countries were *entitled* to the panegyric here given them by Mr. Vansittart, I should not hesitate to declare that if its operations *at home* produce the mischief, which I have been endeavouring to show, *that* mischief will not be compensated by a translation of the Bible into fifty-four, nor *ten-times* fifty-four foreign languages. That system of universal philanthropy, whether political or religious, which carries men so far in their *general* benevolence, as to find “one of the eyes of Britain” any where but in *Britain itself*, must, in spite of that very patriotism, which Mr. Vansittart *himself* possesses, lead ultimately to the destruction, both of church and of state: I know, indeed, that Anacharsis Gloom, one of the instruments of the French Revolution, used to style himself the *Orator of the human race*, and to assert that a true philosopher should *divest* himself of the prejudices contracted by the *accidents* of birth and education; that he should love all countries *alike*; and be ready therefore to sacrifice his own good to the *good of mankind*. Nor is it long, since a universal philanthropist in *this* country asserted, that a father of a family should love *other* families as much as *his own*; and in consequence of this *extensive* benevolence, he left his own family *without food or raiment*, and when conducted before a magistrate, persisted in refusing them relief. But I am not ashamed to acknowledge that I would rather possess the *narrowness* of paternal and patriotic affection, than the boasted universality, which *extinguishes* that affection. I would not starve *my own* children to feed the children of the *stranger*, though I *give* to the stranger what I can *spare* from my own. Nor would I endanger the *Church*,

to which I belong, for the sake of sending Bibles, however numerous, to *foreign* churches, though I would gladly contribute to the latter, when it can be done *with safety to the former*.

Even therefore, if the exertions of the Society, in foreign countries were really as great, as they have been represented, I should still think, the safety of our own Church required the *first consideration*. But since those exertions have been represented in such splendid and dazzling colors, since they have been considered as a *new propagation of the Gospel*, and since the various translations, which this Society is said to have made of the Scriptures, are regarded by its advocates as a *renewal of the Pentecost*, when the Apostles were enabled to speak to *all nations* in their several languages, I have thought it proper to inquire into the *foundation* of these pretensions, but shall reserve *that Inquiry* for an Appendix, because my arguments in the *present Inquiry* have no dependence whatever on the truth or falsehood of those pretensions, though I believe that hundreds and thousands have subscribed to the Society in *consequence* of those pretensions. Now it will appear from that Appendix, that the editions of the Scriptures, already printed or *caused to be printed* by this Society, in languages, *into which they had never been translated before*, so far from amounting to FIFTY-FOUR, which the *ambiguity* of Mr. Vansittart's expression, aided by the *splendor* of his description, might induce men to suppose, amount to a very few more than a *tenth* of that number¹. It will further appear, that among the translations, *now* preparing in India, there are several in languages, into which the Scriptures had been *already* translated. It will appear that others had previously issued from the Missionary press at Serampore, *independently of the aid of the Society*. It will

¹ Previous to the late meeting at Ipswich for the formation of an Auxiliary Bible Society, Mr. Clarkson informed the Public, through the channel of the Suffolk Papers, that the Society had "*translated* the Scriptures into no less than *forty-three* different languages or dialects." See the Ipswich Journal for November 23, 1815. But when Mr. Clarkson's letter was re-published in Cambridge, with a super-scription alluding to my Address to the Senate (see Note, p. 103.) the learned Editor had the precaution to *amend* the text of his Author by inserting in a bracket [*printed or*] before the word "*translated*." Now it makes a material difference whether *new translations* are made, or *old translations* reprinted: otherwise, we may say with equal justice, that the *King's Printer* is "*the means of preaching the gospel*" *as often as* he prints an English Bible. But if *this* is meant, men should not compare it with the *day of Pentecost*.

also appear that among the *European* languages, in which they have reprinted, or assisted in reprinting the Scriptures, some of them are spoken in countries, where the Bible is already so common and so cheap, that to speak of this Society as being "*this means of preaching the Gospel*" in those countries, is really to speak in terms not suited to the subject. And to speak of *Germany* as wanting Bibles, which the foreign Secretary himself has hitherto done : of *Germany*,

printed the Scriptures in Hebrew, in Greek, in Latin, in German, before England had printed them even in *English* : of *Germany*, the cradle of the Reformation, the birth-place of Luther, whose translation was partly transfused into our own ; of *Germany*, where the Canstein Bible Institution, established a century ago, can multiply copies by thousands and tens of thousands ; of *Germany*, where every bookseller can furnish German Bibles to any amount at a price inferior to *fourteen English pence* ; to speak of such a country as wanting Bibles, is more than could have been expected, even from the zeal of our present advocates.*

But since it is of no importance to the Inquiry now before us, whether the exertions of the Society in foreign countries are such, as have been represented, or not, I shall reserve every thing, which I have to say on that subject, for an Appendix. At present, let it be granted that this Society has printed or re-printed the Bible in fifty-four languages, let it be granted also that these Editions have been printed by the sole exertions of this society, let it be granted that none of them would have been printed, if this Society had not existed, let it be granted, even, that these fifty-four editions are in languages, in which the Scriptures had never appeared before, and lastly, let it be granted that the extinction of these foreign translations would be the extinction of "*one of the eyes of Britain*," yet, with all these concessions, it is no necessary consequence, that this eye would be extinguished, if Churchmen adopted the proposal, which was made at the end of the preceding section. For it is not proposed that Churchmen should

* I am aware that there is now in the press a Speech of the foreign Secretary which I have been desired to see, and which gives a very different account from all that has been said before. But all the other speeches at Cambridge, which now have even waited above a month in the Cambridge Chronicle, and have remained uncondemned by the authors of them, might also, at this rate, be new-modelled in consequence of my objections to them. On this subject I shall say more in the Appendix.

cease entirely from the propagation of the Gospel in foreign parts; it was only proposed that they should *transfer* their contributions and influence. I proposed that they should *continue* to operate, and change only the *medium* of operation.

But it will be said that the *ancient* Bible Society has not the *activity* of the modern one. Let this be admitted. Let the inferiority of its energies be admitted in any proportion you please; yet, if those energies are exerted with *safety* to the established church, and the energies of the modern are *not*, we had better *have security at home*, with diminished energy *abroad*, than *diminish our security at home*, by *increasing* our energy abroad. If Churchmen, by a transfer of their contributions, should not increase the exertions of one society in the *same* proportion, as they would diminish the exertions of the other, the augmentation must at any rate be such, as to recommend itself to those, who are attached to the establishment. For a *moderate* increase in the influence of a Society, which is calculated to *support* the church, must be better than a *great* increase in the influence of a Society, which tends to *undermine* it. Nor should we forget that there is *one* respect, in which the *ancient* Bible Society is much better calculated to promote Christianity among Heathens, than the *modern* Society. For the latter is rather a *preparatory* Society: it *prepares* the way for the exertion of missionaries, by *supplying* them with Bibles in various languages. But no missionary can be *employed* by the Society; for the sending of missionaries would be contrary to its constitution. Now the *former* Society not only *can*, but *really* does employ missionaries for the propagation of the Gospel, and would increase their numbers, with an augmentation of its funds. I know, indeed, that the advocates of the *modern* Society think nothing more is requisite, for conversion to Christianity, than the simple operations of their own body. They think the Bible, when *once distributed*, whether among *Muhometans* or *Hindoos*, whether among *Tartars* or *Chinese*, will make its *own way*, without the aid of a missionary, to explain it, and to enforce its doctrines. But as we have the authority, not only of *St. Paul*, but, of our Saviour himself, for believing that a *preacher* is requisite for the propagation of the Gospel, we may venture at least to doubt, whether the Bible, *unaccompanied* by a preacher, will be able, as is imagined, to extirpate, either the *Koran* or the *Chouking*, either the *Veddm* or the *Shaster*.

Let us now examine the *other* part of Mr. Vansittart's dilemma, namely, that if the British and Foreign Bible Society is continued at all, after Churchmen have withdrawn from it, the honor of conducting it will be left entirely to the Dissenters. And here, exclaims Mr. Vansittart, "Shall it be said that the Dissenters ~~alone~~ have carried the Word of God to every nation under heaven?" — Certainly not: nor does it at all follow from my proposal, which consists not in *abstaining* from action, but in action through *another medium*. Here Mr. Vansittart asks: "Can the Church of England stand so secure upon a *narrow and exclusive* policy, as by *deserving* the blessings, and uniting the prayers of all people, nations, and languages?" Now to speak of "all people, nations, and languages," or (in the words of the former quotation) of "*every nation under heaven*," as conferring a blessing on the modern Society, is, really, to speak in terms, with which their exertions, however great, can never be commensurate. And with respect to the *narrow policy* of Churchmen and Dissenters acting in *separate* Societies for the propagation of the Gospel, I should think that, if their *union* (how greatly soever it might raise their powers of action above the *sum* of their *separate* operations) yet contributed by its operation *at home* to endanger our own establishment, neither the wishes nor the praises of *foreign* nations would be sufficient to *avert* that danger.

But Mr. Vansittart seems to think that the danger would be increased, if Churchmen now withdrew, and left the Society in possession of the Dissenters. This is certainly a question of great importance: for there are many Churchmen, who are aware of the dangers of this Society, and who would not have become members of it when *first* established, yet are of opinion, that it is *now* the best policy to join it. Let us consider therefore with attention what Mr. Vansittart says on this subject. Speaking of the second part of the alternative he says: "The *dissenting interest* making up for these losses (namely from the secession of the Churchmen) by more extensive sacrifices, and an increase of *zeal and activity*, and availing itself of the assistance of the *foreign Societies already formed*, would carry on the Institution in nearly the same manner as *before*." Now, in this case, we should have a Society of Dissenters on the one hand, and a Society of Churchmen on the other,

both endeavouring to propagate the Gospel, yet acting on an *exclusive policy*, on which Mr. Vansittart asks, whether the Church of England can "*stand so secure.*" In the first place, let us examine what accession of strength (that is, of *political* strength according to the present argument) the Dissenters would derive from being left in possession of the *foreign societies already formed*. I have carefully examined the Reports of the Society, but I do not find that *any one* of their *foreign auxiliary societies* (thus Mr. Dealtry also attaches the same importance to them) have ever contributed to the parent Society. On the contrary, they are in the habit of *receiving* contributions: they draw from the parent Institution a portion of those supplies, which are afforded by the auxiliary society at home. Its power, therefore, as a *engine*, is not increased, but *diminished* by the foreign. And since their attachment depends on the supplies, which they receive, they would be ready to *transfer* their allegiance to other Society, which had equal means of supplying their demand. Nay, a *hundred* such Societies might be instantly formed, giving notice, that such formation would be followed by assistance. And with respect to an "increase of zeal and activity on the part of the Dissenters, if Churchmen seceded from society, there would be infinitely less to apprehend from it, than the present union of Churchmen and Dissenters in the distribution of Bibles, without the Liturgy, at home. If Churchmen generally resolved to act by themselves in the distribution of *and Prayer Books*, and Dissenters formed another Society for the distribution of *Bibles alone*, agreeably to their respective religious opinions, the two Societies might act, without mutual encroachment on each other's rights. Harmony may be preserved, without requiring that one party sacrifice to the other. Nor can such a sacrifice be necessary, for the purpose of conducting their operations abroad. The competition which might ensue, would be a competition for good: and, as each party would retain the full possession of its *own* doctrine and discipline, there would be no drawback on either side, to in-

* Alluding to the case of a separation on the part of Churchmen; the Dissenters "would probably retain the co-operation of the continental Societies."

interrupt the harmony of their proceedings. I agree with Mr. Vaisittart (and here also with Dr. Milner) that the co-operation of Churchmen and Dissenters, "so far as they can *conscientiously* co-operate," is the best mode of lessening the evils of dissent. But when Churchmen and Dissenters co-operate in the omission of the Liturgy, which is the Bulwark of the Established Church, it is a co-operation, in which I must declare for myself, that as a Churchman, I cannot *conscientiously* join.

And with respect to the danger, for which such union is supposed a remedy, though I very clearly perceive that a Society of Dissenters, *professedly* formed for the advancement of religion, may easily become a *political* engine, yet I cannot subscribe to the opinion of those, who think that the *dissenting interest* of the Society in question will receive the most *effectual* check from the presence and co-operation of Churchmen. The most effectual barrier against the rising power of the Dissenters would be, a general union of Churchmen with Churchmen, all acting on a common principle, and that principle, the principle of the *Established Church*. But the remedy now applied, in the co-operation of Churchmen with Dissenters, though it is *considered* as effectual, is really worse than the disease. While it provides against *contingent* evil, it creates a *present* one; in the hope of preventing *political* mischief, it undermines the established *religion*; without receiving the smallest compensation, it *surrenders* the interest of the Church, by bringing Churchmen and Dissenters to act upon a common principle, which excludes what is *essential* to the Church. Thus the strength of the establishment, instead of being retained within its *own* channel, for its *own* preservation, is not only diverted to another channel, but turns the current against *itself*.

IX.

If indeed the Society would consent to *change* its constitution, to become only a Society for sending Bibles *abroad*, and leave to *other* Societies, whether of Churchmen or of Dissenters, to provide the poor of *this* country, either with *Bibles and Prayer Books*, or with *Bibles alone*, according to their respective tenets, the arguments, which have been used in this Inquiry, which apply

only to its *present* constitution, and its *home* department, would be obviated at once, as I have already declared, and already explained in the last paragraph of the fourth Section. If the *common principle*, on which the Society *now* acts, were so far altered, whether absolutely or relatively, as to render it equally *beneficial* to both parties, the equality, which is observed in the *government* of the Society, would become equally *fair* for both parties. If such an alteration were made in its mode of operation, as to restrict it to countries where the pre-eminence of our *own* church, which it is necessary to preserve *at home*, had no possible concern, such an alteration would render the common principle of action equally beneficial to both parties, and remove the injurious effects, which now arise from placing them on the same level in respect to the *government* of the Society, while the *terms*, on which they act, are not terms of *reciprocity*. In a Society, therefore, composed of Churchmen and Dissenters for the sole purpose of circulating the Scriptures in *foreign* countries, I would readily and heartily *partake*. I know indeed that Dr. Milner, while he held in his hand my Address to the Senate, took the liberty of declaring, "The principles of the learned author, I say *again*," seem to me to have *nothing to do with Dissenters* in any concern, which is *connected with religion*." I am aware, also, that he almost immediately added in commendation of *himself*, that he did not "dread the Dissenters, as if they were *infected with a CONTAGION*." I am aware, also, that Mr. Dealtry has the same insinuation with Dr. Milner. For though he neither produced my Address to the Senate, nor named the Author of it, yet he so clearly *alluded* both to the one and to the other, that no one of the whole audience could be mistaken, in applying his remarks to *me*, especially, as among the persons who disapprove of the Society, I was the *only* one, who was mentioned on that day, and my Address was the subject of remark from the *very opening* of their proceedings. Now, says Mr. Dealtry, "The counsel of those gentlemen who are hostile to the Bible Society, and who recommend *us* to desert

* Dr. Milner had previously said, "There appears to me in their minds, *in* corner, in which resides a *rooted aversion* to any connexion in religious concerns with Christians of *any* denomination, if they dissent from the established church."

it, appear to me not a little extraordinary. They advise the Dissenters to have their own institution upon a similar basis, but would keep us from the CONTAGION." Here let me appeal to the public to determine, whether the respectful manner, in which I speak of the Dissenters, as well in the Sermon at St. Paul's, as in the Address to the Senate, whether the sentiments of religious liberty, which I have proclaimed in both, ought not to have secured me from a term of reproach, which though *apparently indirect* in its application, could not fail to be applied to me, could not fail therefore to excite the indignation of every Dissenter who heard it, and the indignation of every Dissenter who reads it, as if I regarded their intercourse as *contagious*. I leave the public to determine, whether I have deserved such treatment from *Churchmen and Clergymen*, who derive both their consequence and their support from that very establishment, which, whether mistakenly or not, I was laboring to defend. I will leave the public to judge of the *Christian spirit*, which animates my opponents, while they are professing a regard for the propagation of the *Gospel*. But I will declare for *myself*, and declare it both to Dr. Milner and Mr. Dealtry, that I fear no contagion from the *Dissenters*. Indeed I *know* of none. There are many, and *very* many among them, for whom, as *individuals*, I have the highest respect. I would associate with them even for *religious* purposes, as far as my duty allowed me; and if I went *beyond* that line, I am sure the Dissenters themselves would not *applaud* me. And were it *necessary*, I could appeal to dissenting families in this town, who themselves would bear witness, that, so far from dreading a *contagion* from their intercourse, I freely communicate the contributions which I can spare, without the smallest regard to *religious distinction*. I hope the reader will pardon this digression on a subject, which is *merely personal*; but as my adversaries have gone out of their way to *aspersion* my character, I may take the same liberty, in order to *defend* it.

* Having once digressed, I will take the opportunity of noticing some other passages in Mr. Dealtry's Speech, which I at first intended to pass over, because his allusions to my Address had been, for the *most* part, anticipated by other Speakers and Writers. But as the very circumstance, that an argument has been used by Mr. Dealtry, is regarded by many as a presumption in its favor, and this

To return however to an Association of Churchmen and Dissenters, for the purpose of distributing Bibles abroad, I again declare,

presumption is heightened by the author's confidence in himself, and his contempt of his adversaries, I will take a cursory view of the passages relating to the present subject. Mr. Dealtry asks, "Does the dispersion of the Scriptures tend to ruin the Church?" This question has been already answered to satiety.—He observes, "We have retained every syllable of our Liturgy, our Articles and Homilies." It is true, that the Liturgy is still retained: but Churchmen justify the omission of it when they distribute Bibles to the poor, and even censure those who complain of that omission, they are certainly on the road, which leads to the rejection of it.—Mr. Dealtry again exclaims, "Ruin the church? Where then is the discretion of our Archbishops and Bishops, &c. &c. who have supported the Bible Society?" Now a man may be discreet, and yet mistaken. Even Bishops may sometimes err. And Mr. Dealtry, who is so anxious to be thought a genuine Protestant, must be careful not to push this argument too far: for whoever makes a Bishop infallible, adopts a tenet of Popery.—But he considers the distribution of the authorised version by this Society as an argument for the security of the Church; and asks, in the event of Churchmen withdrawing from it, "what security we should then have for the purity of the versions distributed throughout the United Kingdom?" Now Churchmen would have the same security, as they have always had, since the Legislature has forbidden the printing of the authorised version unaccompanied with a comment, except in the two Universities, and by the King's Printer: and the Bible Society itself can obtain their copies of it from no other than these three sources. And with respect to other versions, it is not in the power, either of this or of any Society, to prevent their being made and distributed. But the Dissenters in general, if we except only the Socinians (who in spite of the Bible Society have a new version in extensive circulation) have no inclination to alter the text of the authorised version. Nor had they in the time of Charles the First. They are fully satisfied with expounding the present text: and against false exposition (the danger of which the Society itself admits by the credit which they take for giving it without a comment) they neglect to provide, since they omit the Liturgy. They neglect therefore to provide for the real danger. But says Mr. Dealtry, (who spake immediately after Dr. Milner, whose speech was a comment on my Address) "Let us never forget, that the Scriptures, for the distribution of which we are THUS publicly arraigned, are the Word of the most High." Now under the circumstances already described (and more might be added in corroboration) Mr. Dealtry himself will not pretend that he meant not to allude to me. I challenge him therefore, to produce the passage, in which I have arraigned, either him or any one, for the distribution of the Scriptures. If Mr. Dealtry examined my Address to the Senate, before he ventured to condemn it, he must have known, that at the very beginning of it I represented the distribution of the Scriptures as a "VERY LAUDABLE OBJECT," he must have known that I objected solely to THE OMISSION OF THE LITURGY; he must have known therefore, when he declared he was arraigned for the distribution of the Scriptures, that what he declared was contrary to fact. On the one hand, if he

that such an Association would be entitled to the approbation of every Churchman. On the one hand, the *general* cause of Christianity would be promoted, while, on the other hand, our *own* Church, which *no* consideration should induce us to neglect, would be left *uninjured*. Here, then is the *true* line, which should guide the conduct of the Churchman. He may thus obtain the *full benefit* derived from the operations of the Society *abroad*, and obtain it *without injury at home*. Nay, this benefit would be *increased*, if the funds of the Society were *wholly* employed in the circulation of the Scriptures in *foreign* parts.

If then a regard for the distribution of the Scriptures is the *sole* motive, which induces men to partake of this Society, and it is their earnest wish to pursue that object in such a manner, as to *secure the established church*, why, it may be asked, should the Society refuse to change its constitution, in such a manner, as would answer *both* of those purposes, and render unnecessary the secession above proposed? Yet I hardly expect, that this change of constitution will be made. The Society, in its *present* form, has advantages, which not every member will abandon. Though

had *not* read my Address to the Senate, he took the liberty of laying a very heavy charge to a Professor of Divinity, at a public meeting within the precincts of his own University; at a public meeting composed chiefly of *young men* of that University, of young men who attend that Professor's Lectures, and of laying this heavy charge, with the consciousness of having *no foundation* for it.—If, instead of appealing to the *Address*, or to the *Sermon at St. Paul's*, from which the sentiments in the Address were borrowed, appeal is made to a *printed paper*, which Dr. Clarke produced at the public meeting, and of which I acknowledge myself the author, (see the second line of Note, p. 11 t. where I *allude* to it) that printed paper again contains the same sentiments, which had been advanced in the *Sermon*. The very first sentence is, "Whereas it has been insinuated that they, who object to the modern Bible Society, object to the distribution of the *Bible*, it is necessary to reply, that their objection is *NOT to the distribution of the Bible, BUT to the distribution of the Bible alone*." And in order to explain what is *meant* by the objection to the distribution of the *Bible alone*, is added; "If to the distribution of the *Bible*, which the two Societies have in common, were added the distribution of the *Liturgy*, which distinguishes the ancient Bible Society, and distinguishes the Churchman, the *chief objection* to the modern Bible Society would be removed." This remark is perfectly consonant with all that has been said in the present Inquiry, and shows that I have been always consistent in objecting *NOT to the distribution of the Bible, BUT solely to the omission of the Liturgy*.

its *splendor* is derived from the operations abroad, its *influence* depends on the operations at home. It *therefore* provides for *temporal*, as well as *spiritual* wants. It gives *power* to the dissenter, *popularity* to the churchman, and *interest* to the politician, which is useful at *all* times, and especially at *the approach of a general election*.

Cambridge, .

23 January, 1812.

LETTER

TO

JOHN COKER, ESQ.

• IN ANSWER TO

HIS LETTER TO THE RIGHT HON. N. VANSITTART,

PUBLISHED IN THE OXFORD PAPER.

DEAR SIR,

I HAVE at all periods of my life had a particular objection to newspaper controversies; but to a controversy so amicable as that to which I am invited by your letter—which not only breathes the spirit of a gentleman, but the kindness of a friend—I cannot object, whatever may be its form. I consider your letter as a public appeal to the University of Oxford, against the sentiments expressed in my letter to Dr. MARSH. That letter was, in the first instance, a mere private answer to his communication to me of his Address to the Senate of Cambridge. I expressed myself as a Churchman writing to a Churchman, and without a view to publication. I afterwards published my sentiments under the sanction of the highest authority in that University, and I have had the satisfaction of learning that many of the most distinguished members of both Universities approve of

them. But to value both the judgment of our University, and your private opinion, too highly, not to offer some further explanation.

The question between us is not, whether the *Dissenters* are, or are not, *hostile* to the Established Church, but whether they can acquire any power of injuring it from the operations of the Bible Society. What are those operations? Simply, the distribution of the authorised version of the Scriptures. How can such a distribution be injurious to the Church by which that version was made, and which professes to rest upon it as the sole foundation of its doctrines—that version from which the Church has taken the language of her Liturgy, and which has been sanctioned from age to age by the authority of all our ecclesiastical rulers? But if we pertinaciously reject the assistance of the Dissenters in circulating *our* Bible, what should hinder every sect from having not only a *Bible Society*, but a *Bible*, of its own? The Unitarians have already their *improved* Version of the New Testament.—And who can estimate the extent of mischief, which might arise from such a collision of contending translations? To the *unlearned*, the version to which they are accustomed, stands in the place of an *original*; and to injure their opinion of its authenticity, is to shake their confidence in the Word of God itself.

We are apt to consider the Dissenters as narrow-minded and unreasonable; but while we condemn the prejudices of *other* men, let us be on our guard against *our own*. Let us for a moment suppose that the Bible Society, instead of being formed in London, had originated in the northern metropolis of our United Kingdom, under the patronage of the Church of Scotland, and that when their Episcopal brethren had petitioned to unite with them in the glorious work of diffusing the knowledge of their common Saviour, the Presbytery had replied by a haughty refusal—Keep

aloof! your piety, your learning, may be equal to ours; your zeal may be exemplary, your morals irreproachable—but you have *no lay elders*; you have *bishops and deans*: nay, more, you wear *white surplices*, and have *organs* in your churches: and we had rather the Scriptures should be for ever unknown, than disseminated by such polluted hands in conjunction with ours.—Such, my dear Sir, is the conduct which you would recommend to the Church of England. How far it would conduce to its honor, or its substantial interests, I leave to your cool reflection. My ardent wish, as I know it is yours, is, that the Church of England may be the first of Christian churches, and our country the first of nations—not for the purposes of any worldly splendor (whatever ambition of that kind I may once have felt), but as an instrument in the hands of Divine Providence of extensive benefit to mankind: the *first of churches*, as the model of *pure Faith* and *unfeigned Piety* to all the kindreds of the world: the *first of nations*, as the guardian and champion of Justice, Liberty, and the *true Rights of Man*. These, however, are high considerations, and above the reach of human foresight. To us it belongs to use our reason in seeking the most beneficial ends by the wisest means, and to leave the event with humble confidence to Him who Rules Above.

With respect to the latter part of your letter, I shall only observe that you greatly mistake the views of the Bible Society, if you suppose they condemn the use of notes and commentaries for elucidating the Scriptures. On the contrary, one of our most active members is now publishing a learned and elaborate commentary upon them. And it is a remarkable fact, that since the institution of the Bible Society, the best critical editions of the Scriptures, and the best commentaries on them, have risen in value in this country much beyond their proportion to other books (except such

as derive their chief value from their scarcity), and have been more frequently reprinted than in the course of a great number of years preceding. But the Society, as a body, takes no part in recommending the expositions of any man or any set of men. Confident that the Bible *alone* is able to give wisdom to the simple, it leaves to the Church, to every sect, to every individual, the right of selecting and recommending such further helps as may be necessary for critical research. In so doing every man will consult his own judgment, and the authority to which he has been accustomed to defer.

I am far, as you well know, from undervaluing the advantages of learning; and I should think, that upon the ground of *literary* merit, the Bible Society might claim some countenance in a learned University. We justly prize the profound erudition and indefatigable diligence of the compilers of the Polyglot Bible: but what a Polyglot has the Bible Society produced! Can it *lessen* the merit of such exertions, that they have been applied to *living* languages, and to purposes of immediate and important service to mankind?

But literary merit is not (except in a very subordinate degree) the aim of the Society, nor the tribunal of learning that at which it is to be judged. Its objects are of a higher order, and far more important to mankind; and its appeal is to every Christian heart. If you can point out to me any means of promoting these great objects as powerfully, as rapidly, as extensively, without incurring the dangers you apprehend from the Bible Society, I shall readily concur with you in adopting such means; but till you can do so, I think myself bound to persevere: nor do I believe they will ever be found except in some plan similar to ours. For it is not simply to the diffusion of the Bible, but to the co-operation of all Christians, to diffuse it, and to the effect

of such a co-operation on our own hearts, that I look, not only for the *establishment of Christian Faith, but the extension of Christian Charity.*

I am, &c.

(Signed)

N. VANSITTART.

Great George^s Street,

12th Feb. 1812.

SECOND LETTER

TO

THE REV. DR. MARSH,

OCCASIONED BY HIS INQUIRY, &c.

DEAR SIR,

IF I were to leave wholly unnoticed the further arguments which, since I addressed you on the 4th of December last, you have urged against the Bible Society in your *Inquiry*, it might appear to proceed, either from some change in my own sentiments on that subject, or from a want of attention to yours; which would be the more unbecoming on my part, on account of the honorable manner in which you are pleased to speak of my Letter. "

I feel myself bound, therefore, to declare that my opinions not only remain unaltered, but have even received some confirmation from perceiving that all the ingenuity and research you have employed in attempting to support your objections to the Society have, so far as I can judge, completely failed in their effect.

These sentiments I should have communicated to you sooner, if I had not been desirous of seeing your case complete, and judging whether, in addition to the few observations I shall think it necessary to make on the *Inquiry* itself,

it might not be proper to add some on the Appendix, by which it is at a future time to be followed.

I conceive, however, that as my object is not to go into an exact and methodical examination of your allegations in their order, much less to enter into any of your personal discussions with your other opponents, but to confine myself to a few general heads, there can be no sufficient reason for further delay. And by so confining myself, I think I shall be able, in the shortest possible compass, to do full justice to your arguments, which appear to me to be comprised in three points—

First, That the Bible Society produces a disregard of the Liturgy.

Secondly, That its foreign operations have been mis-stated and exaggerated. And,

Thirdly, That its real objects are of a political, and not a religious nature.

It must, I think, be obvious to whoever reads your Inquiry, that you have totally changed the ground of objection on which you rested, in your Address to the Senate of Cambridge.

In your *Address*, the objection relied upon was an apprehension that, as the power and influence of the Bible Society increased, *other* objects hostile to the Church might be associated with the main object; and, in answer to that, I proposed that the friends of the Church should, by joining the Society, acquire such a preponderating force in it, that it would be impossible for the Dissenters, should they be desirous of it, to direct the efforts of the Society to any other object. But, in the *Inquiry*, your objection is to the *main and avowed object itself*, namely, that of the circulation of the *Scriptures unaccompanied by the Liturgy, or by any other exposition or comment whatever*.

Of the first of these objections, which I discussed in my

former Letter, I shall say nothing at present. With respect to the latter, I must first observe, that you do the members of the Church of England, who belong to the Bible Society, great injustice, if you suspect them of any want of regard to the Liturgy. We acknowledge its lawful authority, we venerate its piety, we admire its beauty, we recommend its use by our example, our influence, and distribution; we all adhere to its forms in the public service of the Church, and many of us in our own families.

On this point it is easy to have satisfactory proof. Many of us are also members of the Society for promoting Christian Knowledge. Let it be examined, whether, in our application to that Society for books, there is a smaller proportion of Prayer-books than in those of its other members, who do not belong to the Bible Society. To the disregard to the Liturgy, which you suppose to have been produced by the Bible Society, if real, the Reports of the Society for promoting Christian Knowledge must bear conclusive evidence. We shall, in that case, find that during the growth of the Bible Society, the demand for Prayer-books for distribution has been gradually lessening. But what is the fact? The number of Prayer-books delivered by the Society for promoting Christian Knowledge, to its members on an average of the three years immediately previous to the institution of the Bible Society (viz. 1802-3-4), was 13,546; the average of the last three years was 19,815, being an *increase* of more than one half. I am informed also, that the ordinary sale of Prayer-books has greatly increased in the same period.—So much for the disregard of the Liturgy, produced by the Bible Society.

But we do not refuse to associate with those who may object to the Liturgy, for the purpose of diffusing the knowledge of those Scriptures, which they, as well as we, acknowledge to be the sole fountains of religious truth.

We venerate the Liturgy, as one of the most valuable and important of human compositions; but when attempts are made to place it on a level with the Bible—to assert that the Bible cannot safely be circulated without it, we are ~~to~~ to confess, that the difference is no less than between *divine perfection*, and *human frailty*.

Such a claim of equality with the Bible, the venerable and holy men who compiled our Liturgy would have disclaimed with horror. There is no point on which they more firmly insist than upon the complete and absolute sufficiency of the Scriptures, in matters of faith: this is indeed the very basis of the Reformation; while the authority of the Church in points of doctrine is no less avowedly the foundation of Popery.

The danger of the perversion of Scripture, on which you so much insist, is the very argument used by the Papists in defence of the denial of the Bible to the laity. And indeed, to such a length do you carry your argument,* that I do not know what answer you could give to a Catholic Doctor who should justify the practice of his church by your authority.

But should we, by adopting the Liturgy as an infallible exposition of Scripture, gain the point of uniformity of doctrine? By no means—You contend† that it is *impossible* to reconcile the language of the Liturgy with CALVIN'S doctrine. But *other* men, whose sincerity, piety, and learning are indisputable, contend that the Liturgy and the Articles cannot be understood in any other than a Calvinistic sense. My opinion would be of no weight in deciding such a question between you; but I should be sorry not to embrace, as faithful and genuine sons of the Church

* Page 104 and 110,

† Page 124, note.

to which I belong, many who hold each of these contradictory opinions.

With reference to this point of the sufficiency of Scripture, I cited the words of Chillingworth, as one of the ablest advocates of the Protestant cause; but to Chillingworth you think fit to object: and it seems to me unnecessary to examine the validity of your objections, because I can support my argument by an authority from which you cannot appeal, namely that of the *Church of England itself*, speaking in the Homilies.

“There is no truth nor doctrine,” says the first Homily (on reading the Scriptures,) “necessary for our justification and everlasting salvation, but that is, or may be, drawn out of that fountain and well of truth.”

“If it shall require to teach any truth, or reprove false doctrine; to rebuke any vice, to commend any virtue, to give good counsel, to comfort, or exhort, or to do any thing requisite for our salvation; all these things (saith St. Chrysostom) we may learn plentifully of the Scripture.”

“If to know God aright,” says the twenty-second Homily, “be an occasion of evil, then we must needs grant that the learning and reading of the Holy Scriptures is the cause of heresy, carnal liberty, and the subversion of good orders. But the knowledge of God and of ourselves, is so far from being an occasion of evil, that it is the readiest, yea, the only means to bridle carnal liberty, and to kill all our fleshly affections. And the ordinary way to attain this knowledge, is with diligence to hear and read the Holy Scriptures. For the whole Scriptures, saith St. Paul, were given by the inspiration of God. And shall we Christian men think to learn the knowledge of God and of ourselves in any earthly man’s work or writing, sooner or better than in the Holy Scriptures written by the inspiration of the Holy Ghost? If we desire the knowledge of heavenly

wisdom, why had we rather learn the same of man than of God himself, who, as St. James saith, is the Giver of wisdom? Yet why will we not learn it at Christ's own mouth, who promising to be present with the Church to the world's end, doth perform his promise; in that he is not only with us by his grace and tender pity, but also in this, that he speaketh presently unto us in the Holy Scriptures, to the great and endless comfort of all them that have any feeling of God at all in them."

Could the men by whom such passages as these were written have foreseen, that in the Church which they founded it would be considered as an *offence* to distribute the Bible unaccompanied by any human work?

Could they, *humble* as they were *pious*, have been supposed to claim on behalf of their own writings an equality with those Scriptures by which they were guided, and for which some of them laid down their lives?

Yet this claim of equality is all which the members of the Bible Society, who belong to the Church of England, deny. They stand on the line of demarcation which separates the Papist from the Protestant. They assert the wide distinction between the authority of an infallible and of a fallible church—but do they forsake the Church where the Liturgy is used? Do they countenance the disregard of it in others? The very contrary is the fact; and on this point they are willing to stake the issue of the question.

Nor can it be doubted that the association of a large proportion of Churchmen in the Bible Society, must tend to render the Dissenters less adverse to the Liturgy. They must learn to respect what they know to be held in veneration by men whom they esteem.

"But in proportion as their good-will to the Liturgy is now conciliated by the habit of acting in co-operation with

Churchmen, must any prejudices they may entertain respecting it be inflamed by such a secession of the Churchmen from the Society as you recommend.

Nor can I think it clear, that, the Society, by such a secession, would be so reduced in numbers and influence as to become inconsiderable. The union has been formed, the machine is organized, and it might continue to work.

The Dissenters, by being left in the sole possession of the Society, might obtain a large accession of influence and reputation. The Foreign Societies would, as I have observed, naturally adhere to them. The efforts of these Societies you value at a very low rate upon this sole ground, that they have received pecuniary assistance from the British Society, instead of contributing to it. Supposing this to be the case with respect to *all* the Foreign Societies, it would ^{of} follow, that you estimate the strength of a Society by ^{think} ^{and} ^{for} ^{nothing} ^{the} ^{zeal} ^{and} ^{activity} ^{of} ^{these} ^{Societies}, though you usually represent the zeal and activity of the Dissenters as sufficiently formidable. You overlook the gratitude and attachment of so many individuals, many of whom are in distinguished stations; and the approbation and countenance of several sovereigns. The Emperor of Russia, the late and the present King of Sweden, and the King of Prussia, have distinctly expressed their approbation of the proceedings of the Society. Would you, with the views you entertain of the spirit and designs of the Dissenters, think it wise or safe to leave such a correspondence entirely in their hands? And what opinion do you think would be formed abroad of the liberality and judgment of the Church of England in rejecting and renouncing such an instrument of general

good. What will be thought even of our present jealousies and disputes?

But zeal and activity, and attachment, are arms of no mean power—such as will often supply the place of money, and such as money cannot always purchase. I hope they do not belong exclusively to the Dissenters: but it is for the Church to determine whether she will avail herself for the noblest purposes of those qualities which they are admitted to possess, or run the risk of seeing them turned against her.

I should indeed agree with you in thinking the Dissenters formidable, if their spirit, and the spirit also of the rulers of the Church, were now such as in the unhappy times to which you have alluded at so much length.

But I think it altogether unnecessary to discuss the circumstances which attended the suppression of the Liturgy in the great rebellion, if it seems to me totally irrelevant to the present question.

Nothing can be more dissimilar to the state of government, and the political constitution of the country in the reign of Charles the First, than their actual situation. Nor have the ecclesiastical arrangements and the public opinions on religious subjects any greater resemblance. Compare the civil and military establishments, and all the means of influence possessed by the government at that time, and at the present. Compare the violent exertions of unsettled prerogative on the one hand, and the eager claim of undefined privileges and rights on the other, with the orderly and regular system which has been established since the Revolution. Compare the harsh exertions of ecclesiastical authority in the former period, of authority often striving, by means unjustified by the forms of English law, and still more repugnant to its spirit, to repress the turbulence and

ferment of a recent and unsettled reformation of religion, with the calm and mild exercise we have seen, for a century past, of the clerical jurisdiction, always directed by law, and guided by moderation; and then say whether there is now any reason to apprehend the renewal of that collision and conflict of passions and opinions in which the constitution of the Church and that of the State alike were overthrown.

The next subject to be examined is that of the *foreign* operations of the Bible Society; and upon this I began to hope we were agreed. Its operations *abroad*, you say, are not only unobjectionable, but *highly laudable*. This praise is, however, qualified in the very next line in a manner which, I confess, struck me with some surprise; viz. that these operations have been described in terms which violate both *truth* and *candor*—surprise, not that you should make such a charge if you think it well founded; but that you should make the charge, and reserve the proof of it for an Appendix, not yet published, after the expiration of nearly two months. I have waited with some impatience for the publication of that Appendix, not only from regard to the character of the Society, but because I know no one who has described its foreign transactions in terms of higher commendation than myself: and though the general tone of the Inquiry, as well as of all our communications, convinces me that I am not designedly alluded to; yet I cannot feel easy under the idea of having, however unintentionally, fallen under the suspicion of a violation of *truth* and *candor*.

After waiting some time in vain for the publication of this appendix, I satisfied myself, by a careful review of what I had published, that I had asserted nothing but the *truth*;

and how far I have offended against *candor* I am willing to leave the public to judge. I have asserted (and this is the ~~only~~ fact I have asserted on the subject) that the Bible Society has afforded the means of preaching the Gospel in ~~fifty-four~~ languages. In this there is a slight error, but it is an error of *defect*. The real number (exclusive of the Ethiopic, which is in a state of preparation) is *fifty-eight*,¹ of

¹ Languages or Dialects in which the British and Foreign Bible Society has been instrumental in diffusing the Holy Scriptures.

English.		*Calmuck.
Welsh.		Turkish.
Gaelic.		Arabic.
Manks.		Ancient Greek.
Irish.		Modern Greek.
*Mohawk (in part new.)		Tamul.
*Esquimaux.		Bengalee.
German.		Hindustanee.
Bohemian.		*Malayalim.
Swedish.		*Chinese.
Finnish.		*Cingalese.
Laponese.		*Burgis.
Danish.		*Maldivian.
Icelandic.		Malay.
Polish.		*Orissa.
Hungarian.		*Persian.
Slavonic.		*Persic, or pure Persian.
Lithuanian.		*Burman.
Lettonian,	Two dialects of	*Siamese.
Esthonian,	the Lívonian.	*Afghan.
Ladinsche,	} Two dialects	*Jagatai, or original Turco-
Churwelsche,		man.
	of the Roma-	*Sanscrit.
	nese.	*Seek.
Italian.		*Telinga.
Spanish.		*Carnatica.
Portuguese.		*Macassar.
French.		*Rakheng.
Dutch.		

which about *twenty-five*, and not, as you insinuate, *five or six only*,¹ are translations into languages in which the Scriptures have not been published before. I never said that the whole were translations made for the first time, nor could I be supposed to mean any such thing, as the English authorised version has always been included in the enumeration. But I could not think it necessary to enter into an explanation on this point, because the history of each of these translations, and the authorities on which it is founded, are distinctly detailed in the Reports of the Society. It is also pointed out with no less exactness in what *degree* the Society has contributed to every publication of the Scriptures, of which it has not borne the *entire* charge. And, after making all these proper deductions, which are, indeed, necessary to bring the fact within the bounds of credibility, the exertions of the Society will still excite just astonishment when compared not only with those of any other English Society, for there is no other whose operations can be named in competition with them, but with the performances of the College de Propagandâ Fide, supported by the united zeal and labors of the monastic orders, and the unbounded liberality of the Catholic powers. And it deserves to be further remarked that though in many instances, the Society has defrayed only a *part* of the expense of publishing a translation, yet that, in all those cases, the assistance of the Society has been most important, and, in the greater part of them, represented as absolutely indispensable to the execution of the work. *

*Mahratta.

*Sinhala Pali.

*Baloch.

*Pushtu.

Total 58, exclusive of the Ethiopic.

The languages marked with an asterisk, are those into which the Scriptures are not known to have been before translated.

You seem, indeed, to consider some of these exertions, especially with respect to Germany, as superfluous. It is unnecessary to explain, why, in so extensive a country as Germany, divided into so many sovereignties, and greatly differing in the religion and manners of its several parts, the Bible might be almost unknown in some districts, while, in others, it was cheap and plentiful; it is sufficient to state, in general terms, that the Bible has been no where published or dispersed by the Society, except where the want of it has been greatly complained of, and where it has been received with the most lively gratitude. The supplications which preceded the gift, and the thankfulness which followed it, sufficiently prove its necessity. Your readers might, indeed, infer the contrary, from your observations respecting the Canstein Institution; but such of them as are unacquainted with the Bible Society will be somewhat surprised to find that the fullest, if not the only, account in English of the Canstein Institution is to be found in the second report of the Society; that the Head of that Institution was in constant correspondence with them, so long as correspondence could be maintained with the Continent, and that the Institution has been employed to a large extent by the Society wherever its aid could be available.

That hundreds and thousands have, as you say, 'subscribed to the Society in consequence of its *foreign operations* (or as you are pleased to call them, *pretensions*), I firmly believe, and also that they have conferred an inestimable benefit on mankind by so doing: and I trust, that not only *thousands*, but *tens of thousands*, will continue to subscribe notwithstanding the publication of the *threatened Appendix*, in which you have undertaken to prove those charges which ~~without any proof~~ you have now thought proper to allege.

I trust that the support of the public will become so extensive and decided as to enable the Society, in the most exact and extensive sense, to carry the Gospel to every nation under heaven; and though these are terms to which you think the exertions of the Society can never be commensurate, I must remind you, that in eight years they have extended from China to Peru: and from Iceland to the Cape of Good Hope.

That these exertions can be injurious to the Church of England, I cannot think so meanly of the Church as to admit. It would be with the deepest regret that I should discover that the prosperity of the Church of England was incompatible with the establishment of the universal Church of Christ; because the inevitable result of such a discovery would be a conviction that the Church of England was not (as I have always thought it) a genuine and distinguished portion of that true Church. And you concur so far in the same opinion as to be willing to permit the existence of the Bible Society, and even to allow Dissenters to belong to it, provided its operations are exclusively directed abroad.

I am not surprised that you should resort to this suggestion, which has, indeed, from the first formation of the Society, been the proposal of its *enemies*; but you must not expect its *friends* to acquiesce in a proposition which would inevitably occasion its destruction.

In the first place, the funds of the Society depend principally upon the formation and continuance of Auxiliary Societies. Now though these Societies cheerfully contribute a part of their subscriptions for the promotion of the *general* plans of the Bible Society, yet their more direct and immediate object is the supply of the *local wants* of their respective districts. They are by no means actuated by that spirit

'of *universal philanthropy* which you are pleased to ridicule (and which, so far as it is affected and hypocritical, well deserves your ridicule,) but by the maxim of ordinary prudence, to do good *first at home*. They would certainly fall to pieces, if deprived of the means of being locally useful; and with them the principal Society would sink. But supposing, that, contrary to all probability, it could continue its existence, what co-operation could be expected among men united for a common exertion *abroad*, upon principles which implied disunion, jealousy, and enmity *at home*? men who would naturally belong to rival and unfriendly Societies in their respective neighbourhoods, and who would bring into their common discussions the hostile passions which had actuated their previous contentions.

How different from the meetings of the Bible Society, in which the Churchman and Dissenter meet to lay aside their prejudices, and, forgetting partial distinctions, look only to the *Scriptures*, which they *alike acknowledge*, and the *Saviour* whom they *equally adore*; and learn to carry away into the intercourse of life the spirit of candor, benevolence, and union! To the diffusion of such a spirit I look with the sincerest pleasure, and the most anxious expectation; and I am persuaded that the extension of the Bible Society will most effectually promote it.

But there is another Society founded upon the same principles, and equally entitled to *my* commendation, and to *your* censure—it is the Naval and Military Bible Society.

By the 3d of its *Laws and Regulations*, it is directed that "*no other books shall be given, or sold at reduced prices, by this society, than Bibles and New Testaments, according to the authorised version, without note or comment.*" And upon this rule, the committee observe in the

Account prefixed to their last Report (1811), "As the Society engage to distribute only Bibles and Testaments, according to the authorised version, without note or comment; it is hoped that this consideration will tend to unite all good men who regard the interest of true religion, in supporting an Institution, on the importance of which there can be no difference of opinion." There is no exclusion of Dissenters from this society, nor even any limitation of the number of them who may be admitted on the committee—so that, on your principles, its constitution is even more dangerous than that of the British and Foreign Bible Society; whose example indeed it holds up as a model for imitation. "Let this Society," says its last Report, "imitate the bright example of the British and Foreign Bible Society."

Yet this Society has existed from the year 1780, without exciting any of those alarms which immediately arose on the formation of the British and Foreign Bible Society, and which you are so zealously endeavouring to propagate.

Can it be so dangerous to distribute the *Bible without the Prayer Book in civil life*, yet perfectly safe to do it throughout the *Navy and Army*? Can our *naval and military forces* be trained without danger in a *disregard of the Liturgy*, and can you have forgotten, that in the times to which you are so fond of recurring,¹ it was a *fanatical army* which overturned both the *altar and the throne*!

The friends of the British and Foreign Society, who trust in the discretion of the Prelates who support it, and conclude that an institution, sanctioned by their authority, cannot be injurious to the Church, might indeed reasonably believe that it could be in no danger from another Society, of which the Archbishop of Canterbury was the president,

and the Bishops of London and Durham vice-presidents. But you, who know that men may be *discreet*, and yet *misleading*, can derive no consolation from such a source; but must class those distinguished Prelates among the *Bishops who may sometimes err*.*

The same gratuitous supposition, of disregard to the Liturgy on which you throughout insist, leads to the no less gratuitous and unfounded supposition of a design to make the Society an instrument for bringing about a repeal of the Test Act. The *Liturgy* (you say[†]) is the *tast of a Churchman*; the Bible Society leads to a disregard of the Liturgy; therefore, the Bible Society will lead to a repeal (not of the *Liturgy*, but) of the *Test Act*. I shall not examine the logic of your *conclusion*, because I deny your *minor*. Instead of leading to a disregard of the Liturgy, I have no doubt that among Churchmen the Bible Society tends to recommend and endear it. It is, I think, impossible to engage seriously in the concerns of the Society without imbibing some portion of the spirit by which it is actuated, and without acquiring a deeper sense of the inestimable value of the Scriptures, and of their practical and personal importance to ourselves. We cannot be earnest in recommending the Bible to others without applying it to our own hearts; and we cannot do so without becoming better Churchmen, because better Christians and better men. We become more interested in the Liturgy, because more sensible of the scriptural foundation on which it rests, and more generally alive to the feelings of religion, and assiduous in the performance of its public duties.

With respect to the *Test Act*, I do not believe that, in principle at least, we should differ. There can be no doubt that the most glorious and happy state of religion upon

* Page 149, note.

† Page 127.

earth would be that of a community universally agreeing in the belief and practice of true Christianity, unmixed with prejudice or error. But this is a state rather to be desired than hoped, in the present condition of man.

But there is an inferior degree of happiness more within our prospect, and yet, perhaps, as perfect as human infirmity allows us to hope for, wherein, though all differences of opinion should not be extinguished, yet they may be so refined from all party prejudices and interested views, so softened by the spirit of charity and mutual conciliation, and so controlled by agreement in the leading principles, and zeal for the general interests of Christianity, that no sect or persuasion should be tempted to make religion subservient to secular views, or to employ political power to the prejudice of others.

In such a state of things you will agree with me, that the Test Act would be unnecessary; but I will admit to you, that the present situation of this country is, in my opinion, very different from that which I have described. I confess, however, that I believe the Bible Society to have a strong tendency to produce such a state of things, and it is one of the points in which I most admire it. In *this* way it *may* become a means of removing the Test Act—not by the depression of the Church—not by any accession of political power to the Dissenters—but by burying their differences in cordial union, and leading both parties to a more sincere and genuine practice of religion. But in any other way, I will venture to affirm, that the Bible Society, is as little likely to lead to a repeal of the Test Act, as to a repeal of the Habeas Corpus Act. Any attempt to convert the Society to political purposes would certainly be fatal to the Society itself: and of this all the parties composing it are equally convinced.

That you should think fit to conclude your Inquiry by

an insinuation of such purposes, I cannot but regret; and you must be sensible that the imputation of unavowed intentions to an opponent is not only one of the most vulgar, but one of the most dangerous arts of controversy. Such imputations are *easy to be made, difficult to be refuted*, but almost always may be *retorted with effect*. If, as you allege, the Bible Society can provide for *temporal*, as well as *spiritual* wants (which, however, I am sorry, for the sake of the poor, to say is not the case,) *temporal*, as well as *spiritual* wants may be provided for, by the profession of a distinguished zeal for the interests of the Church. If the Bible Society can give *popularity* to the *Churchman*, and *interest* to the *politician*, the cry that the *Church is in danger*, can equally answer both those purposes; and nothing has more frequently been found *useful at the approach of a general election*.¹

I beg, however, to disclaim the use of all such imputations otherwise than as specimens of your own mode of reasoning. I feel their injustice in *my own* case—I willingly admit it in *yours*. I know that *I* could find readier ways to distinction and advancement than by *crying up the Bible Society*—I with pleasure allow to *you* far stronger and more honorable claims than that of *crying it down*.

But, though I can easily suppose the alarms professed for the safety of the Church to be sincere and unaffected, I believe them to be neither justified by argument, nor founded in reason, nor unattended with injury to the Church itself. There never was a time when the Legislature more carefully guarded, or more liberally promoted, the interests of the Church. In the greatest pressure of public exertion, when it would appear hardly justifiable to add any thing to the expenditure of the nation for any purpose which did

not arise out of the immediate exigency of the times, grants of unexampled liberality have been made for the support of the national religion."

Grants for ecclesiastical Purposes.

GREAT BRITAIN.

1809. To the Governors of Queen Ann's Bounty, for the augmentation of small livings - - - - £100,000

1810. To the Governors of Queen Ann's Bounty - - - - 100,000

1811. To the Governors of Queen Ann's Bounty - - - - 100,000

Exclusive of the above grants, three Acts of Parliament have passed, in the years 1806, 1809, & 1810, for exonerating livings not exceeding £150 a year, from the Land Tax, charged upon them, to the amount of £8000 a year. See 46 G. III. c. 73. 49 G. III. c. 67. 50 G. III. c. 58.

N. B. No former parliamentary grants of this kind appear to have been made in Great Britain.

IRELAND.

1809. To the Board of First Fruits for building churches and glebe-houses - - - £10,000
Irish.

1810. To the same - - 10,000
Irish.

Further grant to the same - - - 50,000
British.

1811. To the same - - 10,000
Irish.

Further grant to the same - - - 50,000
British.

N. B. From the Union to the year 1808, the sum of £5000 Irish was annually granted to the Board of First-Fruits. In 1808 the grant was increased to £10,000.

This would of itself go far towards proving, what I think further observation will confirm, that there is among us a growing attachment to religion. To no other cause can I attribute the rapid growth of the Bible Society, which again, by a reciprocal action of the most beneficial kind, powerfully contributes to strengthen and extend this attachment.

Yet I will own that there are possible cases in which I think danger may arise to the Church—one of them would be, if the *abuses* of the Church should be confounded with its *interests*. The spirit of the age is liberally attentive to all fair claims; but it is an inquisitive and scrutinizing age, and many circumstances which formerly attracted little notice, are now drawn into full light. The returns of the non-resident clergy, for instance, are now annually printed. If the friends of the Church, instead of taking the lead in a mild reform of abuses, contend obstinately for their protection, and treat every man as an enemy who aims at reform, they will certainly be overpowered at last, and the corrective applied by those who will apply it with no sparing hand.

The voice of the public is now *with* the Church—it may, by a pertinacious resistance to reasonable expectations, be turned *against* her.

It may also be turned against her, and with consequences perhaps, not less alarming, by the display of a distrustful and repulsive spirit towards those who feel that they merit no sentiment of hostility.

The cause of the Church may likewise suffer, in no inconsiderable degree, from ill-judging advocates. If her alleged defenders insist on arguments so repugnant to the common sense and feelings of mankind, that they can only be supported by treating the clearest and simplest subjects

as the most intricate and perplexed, the ridicule which must attach itself to such arguments, however ingeniously maintained, cannot fail, in a certain degree, to be reflected on the Church. For after all that ingenuity and subtlety can do, the public opinion must at last be decided by the plain reason of plain men. With such, the appeal is always to fact and experience. They will not believe it to be an offence to carry home to the habitations of the poor and ignorant that Bible *alone*, which is daily read in the Church, as *alone* containing the *words of everlasting life*. They will not believe the members of the Bible Society to be bad Churchmen (with whatever dexterity you may prove that they must be so), while they perform, both in the Church and in society, the offices of good men and good Christians.

But from the apprehension of all these dangers, the support which the Bible Society has received from so large a proportion of the clerical body, in a great degree relieves my mind. It evinces a liberality of sentiment, and a conciliatory disposition, from which the happiest consequences may be expected. In speaking of this proportion, we must keep in view the *recent* establishment of the Society, and the great numbers both of the clergy and laity who have had no opportunity of joining it. It is the common practice of the opponents of the Society to represent all who do not actually subscribe to it as its adversaries. The fact is, that great numbers are even ignorant of its existence. I have repeatedly, among my own acquaintance, met with persons of rank and education, and of extensive general information, who had never heard of such a Society—I do not recollect to have met with *one* who, when its object and operations were, for the first time, explained to him, failed

to express the most decided approbation of them—Such is the first natural movement of an unprejudiced mind.

But of those who are acquainted with the Society, great numbers are withheld from subscribing by motives very different from disapprobation. It is but too true, that a large portion of the clergy are in circumstances which make even a small subscription a matter of serious concern to them. Many have for a long time been members of the Society for promoting Christian Knowledge, and cannot conveniently contribute to *both* Societies. Many are unable to do it to *either*. The Society for promoting Christian Knowledge itself, which you uphold as a true Church of England Society, and which has subsisted more than a century, would, if examined by the same rule, be likewise condemned. The number of parishes in England is upwards of 11,000; yet the total number of clergymen belonging to that Society is, according to the last Report, only about 2900.

By the spirit of conciliation which I have mentioned, and which does so much honor to the clergy of the present day, another danger is averted from the Church not less considerable than those I have before alluded to—that of a discordance of sentiment between the clergy and the laity. It is natural and proper that the clergy, and especially those in the most dignified situations, should watch with peculiar caution any thing which may be supposed to tend to religious innovation, and it is no less natural that they should sometimes be suspected of pushing their caution to an excess; and that in times when the public attention is strongly turned to reform, some collision of opinion should arise between them and the laity, which may lead to the most dangerous consequences. But the clergy can never more justly merit, or more surely acquire, the confidence of their flock than by keeping pace with, and even taking the lead of them

in a plan of general conciliation and extensive beneficence—a plan founded on the surrender of ancient prejudices, and leading to the establishment of universal concord.

To say that either the Church or the State is free from danger, would, in times like the present, be an empty and presumptuous boast. The earthquake, by which so many churches and so many states have been shattered into ruin, still continues to heave the ground; and it appears evident that these dreadful convulsions of the moral and political world are, by the unseen councils of Providence, directed to bring about some great renovation in the religious state of man. We cannot doubt indeed that the end is wise and beneficial, yet it is impossible for us to judge with what degree of temporary calamity the means may be attended. What part, whether of action or of suffering, we may be doomed to bear in these awful changes, it is not for human wisdom to pronounce; and is perhaps kindly hidden in the darkness of futurity. But I am inclined to indulge in the more pleasing prospect, and to view the Church of England as rising to greater eminence and shining with brighter lustre.

Amidst public difficulty and private embarrassments, I see the hand of Charity extended to every species of distress, with an extent of bounty, not only unknown to former times, but which would have been incredible to them. I see every where new institutions forming; yet old establishments supported; and let it be remembered, that in these noble works, which I trust will rise in remembrance before God on behalf of this nation, the Dissenters claim their full share with the Church of England.—I see the ships of Britain no longer tearing the natives of Africa from their parent soil, but carrying to them the arts of civilized life, and the blessings of the Gospel—I see the Church of England surrounded and assisted by differing, but respectful, and no longer hostile

sects, extending the light of truth to the remotest regions of the earth; and when to these considerations we add the wonderful preservation of the independence and constitution of this nation for so many years of impending danger, amidst the ruin which has swallowed up all the surrounding states, may we not indulge the hope that the religion of this nation is a portion of that Church, against which the gates of Hell shall not prevail; and this country a favored instrument of Providence in effecting its most sublime and beneficent designs?

It is indeed an important crisis for the Church of England. Greatness and glory wait on her decision one way—I forbear to state the consequences of the contrary decision which you would recommend; for I trust the Church *has already decided*, and that the triumphs of the Bible Society, which you already compare to the enthusiasm of the crusades, are but the prelude to more extensive triumphs; when this nation shall indeed *take up the cross*—to carry not the sword, but the Saviour, throughout the world, and when you will be, I trust, not the last to cast away your unfounded apprehensions, and to hail with unmingled satisfaction the opening of a new æra of light and truth.

I have been led to trouble you at somewhat greater length than I intended; nor should I perhaps have thought it necessary to offer any thing further to the public on this subject, had I been aware, when I began to write, that other answers to your Inquiry were preparing by men much more competent than myself to enter into all the details connected with the question; or if I had seen the observations already published in one of our ablest periodical works.¹

What effect may be produced on your mind by my arguments, or by those of others, I cannot pretend to foresee:

¹ See the British Review, No. V.

but both for your conviction, and that of the portion of the public who may still be unconvinced, I principally rely on that experience of the innocence and the importance of the Society, which has already acquired so much force, and which I trust every day will strengthen.

I am ever, &c.

(Signed) N. VANSITTART.

*Great George Street,
23d March 1812.*

VIEW
OF THE
CONSEQUENCES
OF
LAYING OPEN THE TRADE
TO
India,
TO
PRIVATE SHIPS;
WITH
SOME REMARKS
ON THE
Nature of the East India Company's Rights
TO THEIR
Territories,
AND THE
TRADE DEPENDING UPON THEM;
AND ON THE
CONDUCT AND ISSUE OF THE LATE NEGOCIATION
FOR A
Renewal of their Exclusive Privileges.

BY CHARLES MACLEAN, M. D.

PRÆFACE.

THE question, now at issue, between his Majesty's Ministers and the East India Company, which forms the subject of the following pages, is one of the greatest importance to the British Empire, that can possibly be agitated, in the present state of the world. It is a question, in the elucidation of which too many minds cannot be occupied, or too many pens employed.

The serious, and to many the unexpected turn, which the negotiation for the renewal of the East India Company's Charter has recently taken, must have been sufficient to rouse and to alarm every reflecting mind, capable of appreciating the importance of the connection between Asia and Britain.

In common with others, who have feelings and affections connected with India, my mind has been deeply impressed with the mischievous, or rather, I should say, the ruinous tendency of the measures contemplated, and now, apparently, determined on, by his Majesty's Ministers. Regarding the matters in dispute, as by no means of a commercial nature; but rather of a mixed character, principally compounded of considerations of justice, policy, and expediency, upon which all men of common observation, and

some knowledge of Indian affairs, may form a correct judgment; I have, upon this ground, and presuming upon the experience acquired in the course of several voyages to India, and of some residence there, ventured to arrange my thoughts on the subject, and to submit them to the public.

From the terms of the last official documents, which have transpired, it is difficult to consider the negotiation, between Ministers and the East India Company, otherwise than terminated; or that the contending parties have not finally taken their respective stands. Lord Buckinghamshire, in his Letter of December the 24th, 1812, thus unequivocally announces the determination of his Majesty's Ministers to persevere in the obnoxious measure of laying Open the Trade to India, to the Out-ports of this Kingdom:—"It is for the Court of Proprietors to decide, whether their own interests, as well as those of the numerous persons depending upon them, both at home and abroad, can best be preserved by their rejection of, or acquiescence in, those conditions, upon which *alone*, consistent with their public duty, his Majesty's Government can submit a proposition to Parliament, for the renewal of the Charter."

In their reply, dated the 30th December, the Chairmen of the Court of Directors repeat in the following terms their determination; already so frequently declared, to maintain the rights of their Constituents: "But prepared as we shall be, if forced into this situation, to maintain the rights and claims of our Constituents, we must yet express our hope, that the Company will not be reduced to the hard alternative, of thus having to contend for all that is dear to them, or to accept a charter, on terms which will not enable them to execute the part hitherto assigned to them in the Indian system." To this intimation, Lord Buckinghamshire, in a letter, certainly the most extraordinary that has appeared in the

¹ *Vide Papers respecting a negotiation for a removal of the East India Company's exclusive privileges, p 172*

² *Vide Papers respecting the negotiation for a renewal of the East India Company's exclusive privileges, p 179.*

course of this negotiation, and which will not probably escape becoming the subject of numerous animadversions, replies, that "it will be for Parliament to determine, whether the nation is, in this respect (the existence of the present Indian system,) without an alternative; or whether, if a change of system should be rendered necessary *by the decision of the East India Company*, measures might not be taken for opening the trade, and at the same time providing such an administration of the Government of India as might be found *compatible with the interests and security of the British Constitution.*" His Lordship has not thought fit to explain by what measures this compatibility might be effected; any more than he has the grounds on which Ministers have chosen to persist in their determination of opening the Trade to India to the Out-ports. The pompous proposition, on which they seem to lean with so much confidence and complacency, that "the Merchants of this country have a substantial claim to as much liberty of trade as they can enjoy, *without injury to other important national interests,*" can here have no meaning; since the *quantum* of that liberty, which may be extended to them on this ground, is precisely the question at issue. It has been demonstratively shown by the Court of Directors, and certainly they are in this case a much more competent authority than any of their opponents; not even excepting his Majesty's Ministers, that the Merchants of this country already enjoy as much of that liberty, as is compatible with the other important national interests concerned. And

• *Vide Lord Buckinghamshire's Letter, dated January 4, 1813. Ibid. p. 183.*—In the paragraph preceding the last, he says, "If the Government of India cannot be carried on with safety to the Constitution, except through the intervention of the Company, the propositions of the Court of Directors, whatever they may be, must unconditionally be admitted." This is very far from being, even generally, a correct inference. No proposition of the Directors, that is not founded in strict justice, liberal policy, and constitutional principles, need be admitted by the legislature. On the present occasion, if they have erred, it has been in conceding too much to a Ministry, who seemed determined to continue rising unreasonably in their demands.

do these Ministers apprehend that justice to the East India Company, the preservation of the rights and privileges belonging to them, or the inviolability of their property, do not form a part, and a very essential part, of those "important national interests?" If they do entertain such sentiments, it is high time they should be undeceived.

It has been rendered evident to the meanest capacity that an extension of the liberty of trade to India, such as is now contended for, is not only incompatible with the best interests of the British Empire; but that it would prove the immediate ruin of those individuals, who are most vociferous in its favor. Consequently, could it for a moment be believed that the gratification of those petitioners was the real motive, which induced His Majesty's Ministers to persist in the measure of laying open the trade to India from the Out-ports, they would resemble the indiscreet nurse, who, in order to appease a froward child, should put into its hands some sharp or pointed instrument, of which the first use it should make might be to wound itself. But this, I think, would be underrating their abilities. To have expected that the East India Company should be so insensible to their rights, or possess so little firmness, as, without an equivalent, and without a struggle, to surrender what they consider the key to all their privileges, would be to argue a greater want of penetration in His Majesty's Ministers, than can perhaps be fairly imputed to them. It seems much more probable that they had anticipated, and were desirous of producing, the result, which has actually happened, with the view of creating a pretext for transferring to themselves the whole power and patronage of India, and by these means of retaining their ministerial situations for life!

This transfer, to the crown, of the power and patronage, incident to the government of sixty millions of the inhabitants of Asia, which could not fail to enable its servants more commodiously to rule sixteen millions of British-born subjects at home, appears to be the grand measure, by which the ministers of the

Prince Regent¹ propose to effect a change in the East India system, "rendered necessary," they say, "by the decision of the East India Company," that shall be "compatible with the interests and security of the British Constitution!"

But Parliament, it cannot be doubted, when this great question comes before them, will take an enlarged and unbiassed view of all the grand national interests involved in the controversy.* They will not, to gratify the blind or criminal ambition of any set of Ministers, suffer the East India Company to be despoiled of their property, the Crown of its revenue, the people of a necessary of life, and the nation of its freedom.

62, Hatton Garden,
January, 1813.

¹ It is somewhat remarkable, that Lord Buckinghamshire, although he generally designates himself and his colleagues, "*His Majesty's government*," whenever he means to bear peculiarly hard upon the East India Company, calls them "*the Ministers of His Royal Highness the Prince Regent*." Vide his Letter of the 4th Jan. 1813, published in the Papers respecting the Negotiation for the renewal of the East India Company's exclusive Privileges, p. 182.

CONSEQUENCES
OF
LAYING OPEN THE TRADE
TO
INDIA, &c.

FROM the establishment of the East India Company, as territorial sovereigns in Asia, it has been the usual practice, previous to the introduction of a Bill into Parliament, for the further extension of the term of their exclusive privileges, that the conditions upon which their Charter was to be renewed, and the principles upon which the Indian empire was to be governed, should be made the subject of arrangement between the Ministers of the Crown, on the part of the Public, and the Court of Directors, on the part of the East India Company. And these arrangements have generally undergone but few, or unimportant modifications, in receiving the sanction of the Legislature.

By the great extension of territory, and increase of trade, which have been progressively effected, under the judicious management of the Company, these negotiations have, at each successive renewal, acquired additional importance. Since the Bill of 1793, the population, the territory, and the commerce, under their jurisdiction, have been more than doubled: and the civil and military establishments of their vast dominions, as well as the ties between them and the mother country, have been augmented in the same

ratio. When to these is added the immense trade carried on by the Company with the empire of China, they form altogether the grandest and most stupendous, and it may truly be said, the most singular, political, and commercial edifice the world ever saw. In its now splendid state, it is not only the brightest jewel in the British Crown, but the fairest port in of the British empire. How, then, are we to characterize a measure, which must obviously destroy the unity of the approved system, by which our Asiatic possessions and commerce have, in that period, risen to such prosperity and splendor? By impartial men, and men of experience, it will be viewed as an unjustifiable experiment on the integrity and safety of the British empire;—an experiment made too at a season of peculiar political peril; and risked (if the avowed be the real motive) in mere compliment to unfounded clamors, which do not even arise from the effervescence of popular discontent, but have been excited with much art and industry, by the unenlightened selfishness of some commercial and manufacturing bodies.

Under these circumstances, it may be considered most fortunate, for the nation, for the East India Company, and more especially for those who were most active in petitioning Parliament for an unrestrained intercourse with India, that the renewal of the Company's Charter did not come under discussion last year; but that a measure so highly important to the best interests of the State has been delayed, until the delusive expectations, which had been excited, and the erroneous conclusions which had been formed, should have time to subside, or be rectified by a perusal of the very able official correspondence, which has taken place between the Court of Directors and his Majesty's Ministers on the subject.

At the various periods of the renewal of the term of the Company's exclusive privileges, and before the system of East Indian government had attained its present almost perfect form, many speculative notions were afloat, respecting the sort of constitution which would best suit our Indian territories; consistently with the spirit and preservation of our own. Various plans were of course projected. Some were for depriving the Company of the territories and leaving them in exclusive possession of the trade; others for depriving them of the trade, and leaving them in possession of the territories. It does not, however, appear, that,

since the establishment of the present Indian system (by the Bills of 1784 and 1793) either of those ideas have been entertained by any of our most celebrated practical statesmen. Of late years especially, the territorial government of India, and the trade between India and Europe have been regarded as, under that system, inseparably united; constituting a fabric of unprecedented grandeur, extent, and solidity, which it would be rash, presumptuous, and dangerous, in the idle view of speculative or uncertain advantages, to disturb. Even Mr. Fox, although on former occasions an avowed enemy of the East India Company, declared here, in the House of Commons, to be of this opinion, when last in office.

It could not, therefore, but have been with surprise, astonishment, and regret, that the East India Company learnt, in the month of April last, that his Majesty's present Ministers had then recently adopted views upon this subject, very different not only from any which had been entertained by their predecessors, but even from any which they had themselves, in the course of their discussions with the Company, respecting the renewal of the Charter, hitherto avowed.

It is the more essential that these new propositions of the Ministers should be examined, in every possible point of view, before the decision of the Legislature upon them is called for, since, by that decision, it is very evident, will be ultimately determined the fate not only of the East India Company, and their private rivals, but of India and of Britain.

The pending question between his Majesty's Ministers and the East India Company, it appears to me, may be thus succinctly stated. The President of the Board of Controul, speaking in the name of all the Ministers, informs the Court of Directors, that the government of the territorial dominions, and the monopoly of the China trade, shall remain with the Company, as at present; but that they must renounce their exclusive right to the trade between India and Europe. Against this project, the Court of Directors remonstrate; and say, "To what purpose leave us the government of our Asiatic territories, and the trade to China, if you, at the same time, deprive us of the bulwark (the exclusive privilege of employing ships to India), by which alone they

can be effectually supported?" On, in other words, "if you establish an engine (the privilege to individuals of sending ships of all sorts and sizes, from all the ports of Great Britain to India), by which it ~~is~~ must both be eventually destroyed?"

The question, then, which we have here to examine, appears to be strictly this:—Whether the dangers apprehended by the East India Company to the safety of their Asiatic territories, and China trade, from the indiscriminate admission of the ships of individuals to the trade of India, be imaginary, fallacious and pretended, or founded in foresight, wisdom, and experience?

Before entering on this inquiry, it may be proper to remark, that all the opponents of the Company have either egregiously mistaken, or affected to mistake, the real nature of the question. They have all regarded or affected to regard the trade to India as a monopoly, which, as shall be presently shown, is very contrary to the true state of the case. Some of them have represented it as a losing trade; and, with sufficient inconsistency, have accused the East India Company of selfishness, in seeking to preserve a losing trade. With a still higher degree of inconsistency, they have manifested the most eager desire to participate in this "losing trade;" as if presuming themselves capable, as individuals, with capital and other advantages so greatly inferior to the Company, of converting it into a profitable one. While, indeed, they affect grounds of public utility, they show, by the whole tenor of their reasoning, that in seeking to invade the privileges of the East India Company, they have no other view than the fallacious one, in this case, of private gain. It was necessary to their object to represent the interests of the public, and of the East India Company, as at variance, and utterly irreconcilable; and their own interests as identified with those of the public. It also happened that, in the comparatively stagnant state of commerce and manufactures last year, the persons most immediately suffering under those evils, like drowning men grasping at straws, were led to hail the era of the termination of the Company's exclusive privileges, and of the establishment of an Open Trade to India, as that of the termination of their own misfortunes. In considering an open trade, and an increased consumption of British Commodities in India, as synonymous terms, they all seemed

to concur. Ignorant of the character of the inhabitants of Asia, they regarded the regulated trade of the Company, as that which alone prevented the increase of consumption. They branded it with the name of Monopoly; and armed with the authority of Dr. Adam Smith, they declared all monopolies to be mischievous, and, with that of Thomas Paine, to be contrary to the inalienable rights of man.

The consequences of the admission of these principles would go much farther, than those who have advanced them, to serve particular purposes, could wish. They would go the length of laying open the trade to India to all the world. But we shall limit our reasoning to the boundaries of the British empire. If, upon the principle of universal right, the trade to India be laid open to some parts, with what justice can the same privilege be withheld from other parts of the British dominions? If it be an inherent right in the merchants of Bristol, Liverpool, and Glasgow, to trade with India, is it not equally so in the inhabitants of the Orkney and Shetland Islands, of the West Indies and North America?

To argue seriously, or at any length, against these abstract and inapplicable doctrines, must here, I should apprehend, be unnecessary. The East India Company, however, while they refuse to bow to the authority of such wild and vague hypotheses, have done themselves honor by not narrowing the question, as if it only involved the opposing interests of different bodies of men. The Court of Directors have, on the contrary, throughout their correspondence with Ministers, argued the case as it may be supposed, to affect, in every grand view of policy and expediency, the interests of the nation at large; considering their constituents not as an isolated Corporation, but as members of the state, identified, in all their relations, with the great body of the community.

It is a notorious fact that the trade to India, so far from being of the nature of a monopoly, is already as open and unrestrained as is consistent with just and rational views of public utility. The tonnage, which, under the idea of extending the commerce of individuals, has been appropriated to private trade, by the Bill of 1793, is four times greater than has ever been claimed by those for

whom it was intended. Of sixty-three thousand tons allotted for this purpose, during the last six years, only sixteen thousand (about one fourth) were filled up; leaving forty-seven thousand tons to be paid for by the Company, on account of the Public.

Here is no monopoly, or impolitic restrictions on trade. On the contrary, greater facilities are held out to the private Merchant, and that too at a great inconvenience and enormous expense to the Company, than he chooses to avail himself of. If more tonnage than the law allots, had been required for the accommodation of the private trader, the liberal conduct of the Company in other respects evinces that they would have readily granted it.

They did actually, on several occasions, allow to private traders from India several thousand tons more than was allotted by law. The fact, indeed, is that, although a certain quantity of tonnage is specified by the act of 1793, for the accommodation of the individual Merchant, it was for the discretion of the Court of Directors to have allowed more, had it been required.

Did they not, with the most commendable liberality, offer the County of Cornwall to export annually to China, twelve hundred tons of tin, *freight free*,² although, were they only to consult their own convenience, they could supply that market with the same article upon better terms from various parts of India? Have they not, upon a similar principle of accommodation, made an annual sacrifice of £50,000, for the special encouragement of the woollen manufactures of this country?

To call a trade, conducted upon such principles, a monopoly, is equally contrary to reason, and to fact.

But, besides allotting more tonnage annually to individual Merchants, than these have been disposed to occupy, the Company have shared, in another way, the fruits of their commerce with the public. The payments which they have, at various periods, made to the state, from 1768 to 1812, amount to £5,135,319; or at the rate

² Vide Papers respecting the negotiation for a renewal of the East India Company's exclusive Privileges, &c. p. 120.

of one hundred thousand pounds, and upwards, annually: to say nothing of the immense revenues arising from their well-regulated trade.

It is a solecism, as has been well and truly observed by an eloquent Proprietor of East India Stock, "to call that trade a monopoly, which admits the whole country to a partnership in its eventual gains; and which allows any Merchant, or Trader, to export to or import from India, to an extent considerably beyond what has ever been claimed." That is not a monopoly, of which every person, and every association, by purchasing stock, may become members; whose sales are regulated, the prices being set at the pleasure of the buyers; and their amount annually laid before Parliament. The East India Company, in short, is not a private Corporation, trading exclusively; but the British nation, trading under legislative regulations to India.

It will not be supposed, by any man of sense, that the Company would be disposed to make the great sacrifices, which have been here alluded to, merely to humor the caprices, or to fall in with the false notions of interest of particular descriptions of men, had they not powerful motives, arising from other sources than those of mere commercial profit, for wishing to retain the exclusive privilege of the navigation to India: for this alone, if I understand the matter right, is what the Company contend for, as essential not only to the security of their China Trade, but to the permanent safety of their Indian empire. They will, I am persuaded, have no objection to make the farther sacrifice of allotting to the use of the private Merchants, as much more tonnage, than was granted by the Act of 1793, as there may arise a demand for. But surely, since this can be shown to be essential to the safety of their dominions, they have a right to expect that all trade to India should continue to be carried on, in ships, under their immediate control, or exclusively in their service.

The question, then, as it at present stands, between his Majesty's Ministers and the East India Company, does not respect the ex-

¹ Vide Papers respecting the negotiation, &c. p. 57.

² Mr. Randle Jackson—vide his speech delivered at a General Court of Proprietors, 5th May 1812, p. 13.

exclusive privilege of *trade*, but the exclusive privilege of *navigation*; and divides itself into three branches.

1. The admission of private ships into the trade of India, from the Port of London only.

2. Their admission from the outports.

3. The admission of ships of inferior burthen into the trade.

It was upon the scale, contemplated in the first branch of this proposition, that Lord Melville proposed the alterations in the Indian system of trade should be carried into effect. Even on this comparatively limited scale, as at first intended by his Majesty's Ministers, the measure will appear to be more than sufficiently pregnant with mischief; while the benefits to be expected from it, are, according to the acknowledgment of Lord Melville himself, at least extremely doubtful. But the two ulterior branches, brought forward by the successor of that nobleman, immediately after his retirement, from the Board of Control, are peculiarly well calculated to aggravate and accelerate the evils, which would have been occasioned by the original branch in a smaller and a slower degree.

These evils I propose to consider in the following order; and to show:—

1. That the establishment of an unlimited intercourse, by Private Ships, with India, would inevitably lead to the colonization of that country; which could not but terminate in its separation from Great Britain.

2. That this intercourse; particularly if carried on from the outports, and in ships of small burthen, would be productive of irregularity, smuggling, depredations, and even piracy, in the Indian Seas: that its immediate effect would be materially to injure the Company's regular trade to China; and that it would endanger the permanency, or occasion the entire interruption of the intercourse with that country, to the utter deprivation of an article, become essential at least to the comforts of the inhabitants of this country, if not an absolute necessary of life.

3. That at home, the public revenue would suffer an immense loss, and the commodities of India an alarming deterioration, in consequence of the smuggling which would unavoidably ensue, and become with private adventurers a principal occupation, through-

out the boasts of the Empire: that this loss would be further enhanced by the additional expense of collecting the revenue of the outports; and that the public would be disgusted by the rigors of Custom House officers, whom it would be necessary to appoint for that purpose.

4. That, in return for so many risks to the safety of both Empires, the public would derive nothing beyond the speculative and delusive prospect of some uncertain and remote benefit; while the individuals, who, in their eagerness to discover a new resource against the pressure arising from the stagnation of commerce, seem disposed to overlook all obstacles, would find in the participation, so much coveted, of the Indian Trade, nothing but disappointment and ruin; it being absolutely incapable of that extension, which, from a lamentable ignorance of facts, they suppose private industry could effect.

In offering a detailed elucidation of these propositions, I may begin, by remarking that the prevention of colonization has always, hitherto, been a great and leading principle in our Asiatic government; and that, unless some new light has recently broke forth to show us that this grand measure of precaution has been founded in erroneous policy, it would appear to be the part of wisdom to continue in those paths, which have been so securely and prosperously trodden by our predecessors.

The division of the natives of Asia into numerous casts, and the principle of perpetuity which pervades this distinction, if one may so speak, constitute a source of security to the permanence of our East Indian Government, hitherto unparalleled in the history of the world; and, as there is no great probability that mankind will ever again be edified by a similar phenomenon, it is rather a pity that we should be in any particular hurry to adopt measures, which might prematurely destroy it. Here the maxim, so frequently in the mouths of politicians, of "divide and govern," pervades, in a practical shape, the population; and stands consecrated by the hand of time itself. Nor could there be a state of things better calculated to assure the happiness of a people, when, in this instance, the views of their governors are invariably directed by a liberal, enlightened, and humane policy.

Here the facts completely coincide with the theory; for these

is not in the universe a people more happy, or less burthened, than those natives of Asia, who are under the dominion of the East India Company.

The division of the people of Asia into numerous casts, and the mutual repulsion of these casts, constitute a state of things, of which the influence upon morals, opinions, and government, appears to have been but seldom duly appreciated. To these circumstances, perhaps more than to all others, may be attributed the safety, amidst foreign wars and intestine commotions, of the British possessions in India. And, while they exist, they will continue in a great measure to obviate the danger, which would spontaneously arise from the active operation of public opinion, when adverse, in so extensive and populous a country. Did the population of Asia resemble that of Europe or America, or indeed of any other portion of the world, it is obvious that the power of the sword would afford but a precarious security to the duration of British supremacy in the East. As it is, I do not see any possible event that can endanger the stability of this power, in so far as it may depend upon these circumstances, but such a mixture of foreign population (which could only arise from the tolerance of colonization), as would weaken, or obliterate these characteristic features of the native inhabitants.

It is true that this principle of perpetuity, or stagnation, if you will, has been regarded as a misfortune, by some very benevolent persons, who, in their zeal for improvement, have wished to see the natives of India imitate, even in their dress, the natives of Europe. I remember to have heard an anecdote, to this effect, related of a very worthy *pious* judge, of the supreme court of judicature in Bengal. As the first judges, who were appointed to India, were proceeding by water to Calcutta, perceiving some barefooted natives travelling along the muddy banks of the Ganges, "Brother Chambers," says Mr. Justice Hyde, "I hope, before you and I return to England, to see those poor fellows dressed in buckskin breeches and boots." Sir Robert Chambers, who, with equal benevolence, was a better judge of human nature, only smiled at the simplicity of his worthy colleague.

As on the permanency of this singular and truly characteristic feature, which distinguishes the population of the East, depends,

in no inconsiderable degree, the duration of the British power in Asia, if it were practicable to assimilate in character the inhabitants of that country with those of Europe, I should appeal to philanthropy, rather than his wisdom, who should desire to see such an alteration speedily realized. Yet there does not occur to my mind any measure better calculated to produce that effect, unless a premium were offered to colonists, than that which is now in question. It will not, I apprehend, be denied, that in the progress of colonization, those leading traits of the Asiatic character, which tend so powerfully to secure to us their allegiance, would be gradually weakened, defaced, and obliterated. Nor can it be doubted that the danger to the existence of the British power in India would be equally certain, whether it should arise indirectly from a change effected in the character of the natives by colonization, or directly from the increasing number of colonists.

Every one conversant in history, knows that it is the common course of distant colonies, whenever they feel a sense of their own strength, to feel also an independence of the mother country, and to acquire the disposition to embrace the first favorable opportunity of throwing off their allegiance. India cannot be supposed to form an exception to this general rule; and I cannot well comprehend how any man, wishing well to both countries, and understanding their true interests, can venture, in the present political state of the world, to recommend the adoption of a measure, which could by possibility lead to their separation.

How far the measure of admitting private ships to the trade of India be of this description, is what we are now to examine. And I think it will appear manifest to the meanest capacity, that colonization, and the other evil consequences, which have been apprehended from it, would, especially on the extended scale recently suggested, be the inevitable results.

The connection between India and Britain, in their commercial, as well as political relations, is essentially and in its nature different from any that has ever existed between other countries. Consequently, history does not afford us, in our reasoning, either parallel or analogy. With respect to the trade, or rather the navigation, which alone is at present in question, experience has shown that regulation is as necessary to its well being, as laws are

to the maintenance of social order. But this is altogether incompatible with the indiscriminate admission of private ships, in the manner proposed, to the trade of India. The great distance between the two countries; the immense extent of coast, which encircles the British territories in India: the numerous ports and islands, belonging to many different nations, by which the course of the navigation is interspersed; would afford so many facilities to the deceptions and depredations of the evil disposed; so many temptations to those whose integrity is unconfirmed; and so many chances of eluding detection to those who may have committed crimes, that I should tremble at the result, both in a view of public morals and of public safety, of the gigantic experiment of freeing a commerce so vast and so singular in its nature, from those salutary restraints, under which it has so long increased and flourished. In the present convulsed state of the world, the rashness of such an experiment could only be equalled by its criminality.

The facility with which Ministers have yielded to the solicitations of those mercantile and manufacturing bodies, who have, in their dreams, expected to derive incalculable advantages from the trade to India being laid open to private ships, could alone have been founded on an erroneous belief that it is practicable to make regulations, in India and in Europe, which would obviate the dangers that are justly apprehended from that bold and extraordinary measure. But all men of experience on the subject, know that this expectation is utterly absurd. By what code of regulations, indeed, could adequate restraints be imposed on the conduct of persons trading to India, independent of the Company's control, and navigating ships not in their service? Respecting the Code proposed, which is to effect those wonders, we have hitherto derived no information.

Let us trace the probable progress of this new navigation.—A private, independent ship arrives at a port in India. She there discharges the whole, or such part of her cargo as suits her convenience; reloads; and proceeds (if the Eastern Archipelago be comprehended in the space which they are to be allowed to navigate) to some of the islands adjacent to China, to New South Wales, to the South-West Coast of America, to the Cape of Good Hope, or in short to any part of Asia, Africa, Europe, or

America ; even to France, or the United States, if at peace with this country : for it must be presumed that in the owners or supercargoes of such ships, not in the Company, or their agents, would remain the right of directing their ulterior destinations. Let us suppose, what would very frequently happen, that the commanders, or supercargoes, were also the owners of such ships ; and that, instead of embarking for any definite voyage, their view was to avail themselves of such favorable opportunities as might occur, of engaging in profitable adventures, without being very scrupulous about the means. Might not adventurers of this description, after having perpetrated the most flagitious acts, even robbery or piracy, against the natives of India, or other acts of a more public nature, affecting politically the interests of the East India Company, find impunity, or even welcome and protection, by taking refuge in France or America ? Might not many such adventurers, under the pretence of commerce, act as agents for, and be regularly employed to convey to India the emissaries of the powers at war with this country, or whose policy in peace is adverse to its prosperity ? This, as every one is fully aware of, who knows the nature of man, and the state of India, is not to proclaim ideal or imaginary evils ; but to anticipate certain and indubitable results. If there are, in this country, men base enough to aid French prisoners in escaping from captivity, is it uncharitable to believe that there are others who would convey the emissaries of that nation to our East India colonies ; seeing that the chances of detection and punishment are so much diminished by the distance ? What securities could the East India Company, or the nation exact of the owners of ships, not in their service, especially those sailing from the out-ports, which might not easily be eluded ? Supposing securities were exacted, even to the full amount of the value of the ship, in case of any misconduct during the voyage, what degree of safety would be found in this measure ? In case of detection, the real or ostensible owners might evade the impending storm, by taking shelter in a foreign or hostile port ; or they might choose to abide the issue, having insured compensation for the forfeiture, from the individuals or the governments, whose projects their vessels were serving.

These are consequences which ought to be sufficient, indepen-

dent of the risk of colonization, to alarm men of reasonable and sober calculation. But when we reflect, that every one of these private ships might allow the whole of their British crews to quit them in India, to be replaced by Lascars, or foreign European sailors; or that, their discipline being necessarily inferior to that of the Company's ships, their crews might all abandon them; and that no precautions or restrictions, which it is possible to devise, can prevent these results in part; it must be obvious how rapidly the measure of laying open the Trade to India, to private ships, would accelerate the progress of colonization.

Nor could this progress be either prevented or impeded, as some have erroneously supposed, by any measures of the local governments, which would not bear a character of despotism inconsistent with the state of society in that part of our dominions. Persons having made a losing voyage by trade (which would be the case with a great many, if private ships were allowed) would be desirous, with the very best intentions, of repairing their losses by a residence in India. Others, having offers of an advantageous settlement, might clandestinely, or by connivance, quit their ships. Some might be left behind from sickness, and some abandon their situation in disgust. The number of persons who, actuated by one or several of all these various motives, or determined by other circumstances of accident or of choice, would seek to better their condition by remaining in India instead of returning with their ships to Europe, would, it may reasonably be expected, frequently bear a considerable proportion to the whole number of the crew; and having procured themselves an establishment, how could the local governments, while they conducted themselves as quiet, peaceable, and loyal subjects oblige these persons, without appearing excessively rigorous, or even cruel, to relinquish the establishments which they had obtained, and to return to Europe? We are here supposing the local governments to have the means of ascertaining all persons so circumstanced, a thing evidently impossible, without the introduction of a system of police inconsistent with all ideas of British Government. If it were even practicable, by the strictest vigilance, to oppose at the commencement some sort of limits to the inundation of emigrants which would thus pour into India, it is evident that these limits could not

be long effectual. The present restrictions being removed, the progress of emigration would increase in a geometrical ratio, the inducements to new colonists increasing in that proportion to the number of the old ones.

Of the effects that would result in this respect from laying open the Trade to private ships, some reasonable conjecture may be formed by contemplating the number of Europeans that have settled in India, from the Company's chartered ships, notwithstanding the strict bonds by which these are connected with their employers. In cases of irregularity the Company can withhold from the owners their freight; they can mulct the captains and deprive them of their commands; they can dismiss the officers from their service. But even the great power which the Company thus possess over the owners, captains, and officers of their regular ships has not always been sufficient to prevent their crews from forming a residence in India. How much more feeble then, or rather what a nullity would be their authority over private ships, of which the owners, commanders, and officers would, under the system proposed, be wholly independent of them?

But the emigration to India would by no means be confined to those descriptions of persons, who might casually quit their ships in order to form a residence in that country. There are many circumstances, and among them the flourishing and secure state of the British dominions, which now more than formerly produce a tendency to the colonization of Asia. Those who went with permission, at former periods, to the East Indies, under the denomination of free-mariners, or who casually remained there and settled as merchants or traders, with licenses from the Company, invariably went abroad with the view, after having realized a competency or a fortune, of returning to spend the evening of their days in their native country. Now, however, that fortunes are not so easily acquired, and that the mode of living among Europeans in India is considerably improved, many persons, who would have gone formerly with the intention of returning, will proceed to that country, assured of the stability of the British power, with a design of making it a permanent residence.

Thus the British Empire itself, should this feeling extend, an effect which the measure in contemplation is admirably calculated

to produce, might suffer an alarming depopulation: and it is no less reasonably to be expected that, under the existing pressure of war and despotism in other countries, an immense emigration would take place from almost all parts of the world, which would naturally concentrate in India, as being now the most favored asylum of peace, security, and plenty.

This result could not fail to be farther accelerated by the progress of events in South America, New South Wales, and other countries, which, from their position, would always, if navigation were unrestrained, have a considerable intercourse with the Company's territories: and the additional intercourse, upon the return of peace, of the nations now in hostility with us, would powerfully contribute toward the same end.

Upon the whole, in reviewing this measure in all its bearings, the conclusion which we are obliged to form is, that if the object intended were to encourage emigration to India, a better or a more appropriate plan could scarcely have been devised for that purpose, than that of granting *unlimited* permission to private ships to trade to that country. And how, I would ask, is the permission to be *limited*? If licenses from the Company should be deemed necessary, how can they, without the grossest inconsistency and injustice, be granted to some merchants, and to some ship-owners, but refused to others? If they should *not* be deemed necessary, then every person in the kingdom, who has the ability and the fancy to embark in such an undertaking, may fit out a ship for India, and dispatch her at whatever period he pleases.

Thus India would be colonized!

With respect to the effect which that result would produce on the permanency of its connection with Great Britain, no man, I should think, will be hardy enough to deny that it would prove ultimately fatal; and the only difference of opinion which could reasonably arise, would be respecting the precise period at which their separation would happen.

The next proposition is, that opening the Trade of India to private ships would be productive of irregularity, smuggling, depredations, and even piracy in the Indian Seas; that it would interfere materially with the Company's regular Trade to China, and even

endanger the permanency of, or entirely interrupt, the intercourse with that country. |

Under the system of Open Trade proposed, there is not a doubt that, in so vast a range of coast many opportunities would occur, in places to which British laws and British protection have not yet fully extended, of plundering, over-reaching, or otherwise mistreating the mild and inoffensive inhabitants: and, although the natural love of justice would with many prevail over all temptations, yet there are others who would allow themselves to be seduced into acts of violence, treachery, or deception, which the facility of escaping punishment would render too alluring to be always resisted. However we may be advanced in refinement, I am not aware that, in respect to sound morals, the present times are much superior to what they were a century ago; and we know that, at that period, a regular system of piracy was organized by the interlopers, who frequented the Indian Seas to the great inconvenience and loss of the East India Company, and the imprisonment by the native powers, of their most valuable servants.¹ Some of the piratical vessels, which then infested those seas, were even fitted out by British subjects, from New York, and other parts of America, then under our own dominion.² It is true, the present state of India by land, and that of our naval power in the Eastern Seas, would render such projects now much more hazardous. But it, from these circumstances, private adventurers should seldom be daring enough to venture upon absolute piracy, they would still have sufficient temptations and opportunity to commit minor depredations.

The injury which would arise from this source to the Company's China Trade is equally certain, but of much greater importance. It was a judicious precaution of the Court of Directors, in a view to the safety of this trade, to desire that private ships might be prohibited from having access to the Molucca Island, or Eastern Archipelago. But even this restriction, although undoubtedly some, would, I apprehend, be but a very slender security against

¹ Vide Bruce's Annals of the East India Company, Vol. II. pp. 204 and 210.

² Ibid. pp. 273 and 271

the danger. Private ships would find it profitable to bring home teas. The temptation to smuggle an article, which bears ninety-six *per cent.* duty *ad valorem*, is too great to be resisted, in the first instance, from the mere apprehension of remote detection and punishment. It is an evil which can only be resisted, *in limine*, by some such system of restriction as that which at present exists. And hence, it may be pronounced, without reserve, that to lay open the East India Trade to private ships would be, in other words, to lay the foundation of an illicit commerce, more extensive and more injurious in its consequences, than any that has ever existed in the world.

Even were the ships of individuals prohibited from visiting the Molucca Islands, which however His Majesty's Ministers have shown some reluctance to accord, encouragement would still arise to the exportation of teas and other commodities from China, to answer the demand occasioned by these ships. These commodities would find their way to some central ports in the Indian Seas, which would in such case become large depôts; and thus, from the inordinate profits which would attend each successful voyage, an immense and a regular system of clandestine Trade, would spontaneously spring up. It would not be in human ingenuity to prevent it. Neutral and hostile nations would think it their interest to protect and encourage such a traffic: and this very circumstance might lay the foundation of new wars.

Wherever peace shall take place between this country and France (and it cannot be eternal), the evils arising from this source may naturally be expected to increase. It would be unreasonable to suppose that, at whatever period that event may happen, we shall be in a position entirely to dictate the conditions of the peace, or that the army will not aspire to the restoration of his Asiatic possessions; at least the islands which we have recently captured, as equivalents for other objects, which he may be disposed to relinquish. In the event, then, of our being obliged to restore the Islands of Mauritius and Bourbon, would they not form very convenient depôts for Clandestine Trade? And, is it not highly probable that, with this very view, they would be declared free ports? Madagascar, Manilla, and other places not within British jurisdiction, would also naturally become the resorts of such

commerce. We could not, if at peace with these nations, prevent French, American, Spanish, or Portuguese ships from bringing teas from China, for the purpose of lodging them at these depôts; nor the ships of our own private merchants from touching at such ports, in order to purchase those teas with the view of smuggling them into Great Britain, or some intermediate ports.

Upon the return home of those private ships the Azores, the Western Islands, the Madeiras, would afford convenient stations for carrying on this traffic to any degree: every part of the coasts of England, Ireland, Scotland, and Wales, would offer similar facilities: and, in the event of importation from India being extended to the out-ports, as now proposed, the most extensive and systematic smuggling could not be obviated by all the efforts of the legions of Custom-House Officers, supposing these persons to do their duty, whom the government might think fit to appoint.

Were importation even confined to the port of London, as at first proposed by Ministers, the coasts of Cornwall and France, the Islands of Jersey and Guernsey, would present to adventurers abundant opportunities of successfully carrying on an illicit Trade, on a very large scale.

But independently of these numerous facilities, so fertile in expedients is the genius of Trade, that places of rendezvous might, and no doubt would, be appointed, in different latitudes and longitudes, at which smaller vessels would be directed to wait for those of a larger size, in order to take charge of the clandestine part of their cargoes, to be conveyed to places where it could be disposed of with advantage, promptitude, and safety.

If, in the course of such voyages, these private ships should be occasionally captured, their clandestine trade seized, or their regular cargoes confiscated, the mischiefs to the East India Company and to the revenue, would not thereby be in the smallest degree diminished. It would only be a transfer of property from the hands of the private trader to those of the crews of our men of war, or of the Custom-House officer. In proportion to the extent to which this clandestine trade might be carried on, whether the adventurers in it should be gainers or losers, would the profits of the Company and the revenues of the Crown be diminished?

With respect even to the fair private Trade, although it would

not so much affect the revenue (it would, however, in no inconsiderable degree, increase the expences of collecting it), the struggle which would take place, could not fail to prove injurious to the Company, although, in their corporate capacity, which has been given to them in perpetuity, they would of course surmount the competition of all individual rivals. In this rivalry, every honest private competitor would undoubtedly be ruined. But we shall suppose, for the sake of the argument, that the individual Merchants carrying on a fair private Trade to India, should prevail over the Company, what difference could it make to the Public, whether the Company or their private rivals, were the first to be ruined? One thing is quite certain, that it is the illicit Trader alone who would benefit by the change. And if the measure of admitting private ships, of all sizes, and from all ports, to trade to India, in defiance of all these dangers, is to be carried into effect, I am of opinion, that the Bill by which it is to be enacted, ought to be denominated "an act for establishing, protecting, and extending illicit commerce between India and Britain."

It is well known, that enough of tea for the consumption of the whole United Kingdom has always been supplied, in an unadulterated state, and at reasonable prices, by the East India Company; and that from this source has arisen their principal commercial profits.¹ Let us now inquire what would be the effects upon these profits of admitting private ships to the Trade of India. An increased demand for tea, and a consequent rise in the price of that article, would immediately take place in China; while the competition of illicit Traders, by producing a superabundant supply, would occasion a fall in the price of the same commodity at home. Thus the profits of the Company would be unfavorably affected, by a double operation. The revenue, depending upon this source, it is obvious, would be almost wholly annihilated. And what would the consumer benefit by the change? While the abatement, which it would occasion, on the retail prices, could not be sensibly felt, even by the poorest persons in society, the sophistication, which would in consequence take place, of an article

¹ Twenty-five millions of pounds of various kinds of tea is the average quantity sold at the Company's sales in the year.

become a necessary of life throughout the British dominions, would diminish the comforts, and might injure the health, of almost every member of the community. And thus, from a measure pregnant with danger to so many various interests, it cannot be said that a single incidental benefit is promised to the public.

The Company, crippled as they would then be, could no longer afford to export to China, as they have been accustomed to do, at an immense loss, to the annual amount of a million sterling of the metals and woollens of Great Britain. And thus, some of our best staple commodities, contrary to the fallacious expectations entertained by many of those who deal in them, would, instead of experiencing an increase, suffer, from the measure proposed, an immediate diminution of sale.

So assured, indeed, were the Proprietors of the Cornwall Mines, of the loss that would arise on the sale of their products in China, if exported on their own accounts, (and the same apprehensions would, of course, be entertained by private Merchants) that they thought proper to decline the liberal offer of the Company, to convey annually twelve hundred tons of their metals to that country, freight free.

The annual sacrifices thus made by the Company at the shrine of the public, particularly in respect to woollens and metals, they were enabled to bear, both by the profits of their homeward cargoes, and by the mutual support which their territorial revenue, and commerce, afforded to each other. From their mixed character of Sovereigns and Merchants, they were enabled to effect, what it is utterly impossible that individuals, in their mere commercial capacity, should have the power to accomplish.

From all these considerations, it follows, that the plan of granting liberty to Private Ships to trade to India, even if they should be excluded from the Eastern Archipelago, is a certain, although an indirect, mode of depriving the East India Company of all the benefits of the China Trade; and may, eventually, deprive the inhabitants of these Kingdoms of one of the most essential necessities of life;—an article, which scarcely an individual from the throne to the cottage can now dispense with, and which chiefly administers to the subsistence of the very poorest classes of society.

If the Moluccas, indeed, were to be included in the tracts, which Private Ships are to be permitted to navigate, the ruin of the Company's China Trade would be considerably more direct and rapid; and the danger of the deprivation of Tea to the inhabitants of these kingdoms much more imminent. These islands, as stated by the Deputation of the Court of Directors, "would hold out irresistible temptations to lawless European Settlement, enterprize, and adventure, before which the Company's China Trade must sink; as this maritime resort would certainly become the very focus of dangerous and illicit intercourse with the Continent of India."

As this private trade would of course be carried on by a species of adventurers, who would not be much disposed to restrict themselves either to legal, or moral means, in order to render their voyages profitable, they would not, if it should appear to them to be conducive to that end to proceed into the China Seas, think it necessary to pay a very scrupulous regard to the limits that might be assigned to their destination by the New Charter. In this manner, an indefinite number of unconnected Europeans, with views of the most irregular kind, would find their way to the borders of the Chinese territories. We know how suspicious that government has always been of strangers; how indifferent in general to foreign intercourse; that they even banished the Europeans, at one period, to Macao; and that it is only by the great influence of the East India Company, and the regular conduct of their Servants, that their ships are allowed to visit Canton, and their Supercargoes to reside there, during one part of the year.

What, then, would be the consequence of that sort of intercourse, which might be expected to take place, between the natives of China and Europeans of the description I have just mentioned, after the regular Ships, and the accredited Authorities, should leave Canton? Nothing but disorder, and the ultimate exclusion of all Europeans from China! An event, that would involve in its consequences, four millions of revenue!—a million of export!—the employment of a large fleet of most excellent Ships, each of warlike equipment!—the ruin of private Speculators!—the palsyng of the functions of the Company!—and, the

deprivation of an article, which has now become to all ranks of British subjects, a necessary of life!

The Commercial intercourse between China and Russia, by land, it is well known, has, upon similar grounds, been frequently interrupted. This happened in 1785; and the communication was not re-opened till 1792, being a period of seven years.¹ This measure has always originated with the Chinese Government, by whom the orders for shutting and re-opening the communication, between the two countries, have usually been issued several months before they have been made known to its subjects by the Government of Russia.²

We come now to consider the effects, which this measure would have upon the revenue. It has been already stated that the loss to the public revenue of this country, in the event of opening the trade to India to private Ships, would be in the direct ratio of the illicit Trade, which, under color of this Commerce, might be carried on. The quantity of Tea at present imported being quite sufficient for the consumption of the inhabitants of these kingdoms, it must be obvious, that an additional importation would not necessarily be accompanied by an additional consumption. But the increased supply, from illicit Trade, would occasion a diminu-

¹ This has been represented by some as a period of war between Russia and China. But we have never heard of battles between Russian and Chinese Armies. And it appears most reasonable to believe, that commercial irregularities were the sole ground of the interruption of intercourse, which took place at this period, between the two nations.

² Vide Affidavits of Joseph Fawell, in a pamphlet entitled, "The Right of every British Merchant to trade within the Geographical limits defined by the Charter of the East India Company, vindicated, &c." By T. Lee--p. 71--73.

The author of this Pamphlet thinks it would be quite expedient and just, to deprive the East India Company of the exclusive privilege of the trade to China, on the ground of some misconduct which he alleges against *their Agents* in that country.

Another writer, on the same side, after having roundly pronounced the *present* Company incapable (from their long experience I presume), very gravely assures us that a *new* Company (without any experience) would be much better qualified to conduct this trade!! And he proposes that this *inspired* Company should pay one million a year to government!!! So much for the opponents of the Company.

tion of the quantities sold at the Company's sales, and of the prices; and thus, in two ways, effect a diminution of the revenue. It can scarcely be necessary to observe, that the expence of maintaining the legions of Custom-House Officers, whom it would be deemed expedient, under the system proposed, to appoint to the out-ports, would operate a farther diminution of the revenue; and that it could not fail to be otherwise very obnoxious to those, who are of opinion that the increase of all such appointments, by unduly augmenting the influence of the executive power, must trench upon the principles of the constitution.

But even at the price of this additional odium and expence, it would be so impracticable to prevent, or even to oppose a barrier to smuggling, if ships were permitted to unload at the out-ports, that it would almost of necessity become the principal occupation of the individual adventurers, who might engage in the East India Trade. The fair individual trader could not long successfully compete with the Company, who would of course continue their commercial operations, in their corporate capacity, as long as they were not an entire loss, or until, by the irregularity of the interlopers, the communication with China should be entirely stopped. One of the inevitable effects of the competition between the Company and the fair private trader, operating in conjunction with the high duties upon Tea, would be to render smuggling, with all its risks, by far the most gaining trade; and, "in fact, however covered or disguised, it would become the *principal object*."

Under the system in question, then, even in the limited shape originally proposed, it may very fairly be maintained, that all the regulations which the utmost extent of human ingenuity could devise, would not be sufficient to prevent smuggling, as it would be the most lucrative, from becoming the principal object of those, who should embark in the East India Trade. And there can be still less doubt that the evil would be farther aggravated, in as far as it is capable of aggravation, by the ulterior projects of allowing access to Private Ships to the Molucca Islands, and entrance into the out-ports of these Kingdoms; but more especially by the admission into the trade of vessels of inferior burthen.

Such vessels could, in India, go into minor ports, and more easily form connection with the natives; and their intercourse,

and consequent irregularities, would be such as neither the vigilance or power of the Indian Governments, would be able to discover or controul. On their return, they could enter the small ports of England, Scotland, and Ireland, and easily elude the vigilance, or purchase the connivance of the Custom-House Officers.

That his Majesty's Ministers should not have felt the force, and admitted the validity of the irrefutable arguments adduced by the Deputation of the Court of Directors, against admitting vessels of this description to a participation in the India Trade, is to me extraordinary, and almost unaccountable. On this subject, the deputation express themselves in the following terms:—"In short, if a mere chance *outward*,¹ for the sake of smuggling *homeward*, was the speculation and the object of adventurers, undoubtedly small Ships would best answer their purpose; but if an honorable commercial intercourse with India was the object of Government, it could only be maintained by Ships of a respectable size, and suitable equipment as to stores and force, under the conduct of able and *responsible* commanders and crews."

That the size of the ships, and the respectability of their equipments, are of importance, in a political, as well as in a commercial view, is evinced by the different degrees of respect paid to the Company's regular ships, and to those of the American traders, in the Eastern Seas. The large ships of the Company, equipped and disciplined as they are, and navigated by gentlemen of education, rank in society, and nautical skill, command respect, and insure obedience, from the natives of India. But should a rabble of vessels, of all sizes and denominations, be admitted to the Indian Seas, it requires not the gift of prophecy to foretell that, with much immediate mischief to the company, and almost the annihilation of the revenue arising from the regular trade, their course will be marked with irregularities and crimes, that will bring indelible disgrace on the British character and name in the East, and lead eventually to the interruption of all intercourse with the Chinese Empire.¹

¹ Since the above was written, this point appears to have been abandoned by his Majesty's Ministers.—Vide "Papers respecting the Negotiation for a Renewal of the East India Company's Exclusive Privileges, p. 170.

But farther, the whole of this measure appears to me to be a departure, on the part of Ministers, from their implied agreement with the East India Company, which professed to found the renewal of their Charter, on the principles of the Acts of 1784 and 1793. It is also, in its two ulterior ramifications, a complete deviation from the principles upon which the negotiation between Lord Melville and the East India Company, had begun and proceeded. It is even directly repugnant and contradictory to his Lordship's consent to the sixth proposition of the Court of Directors, namely, that "the whole of the Indian Trade should be brought to the *Port of London*, and the goods sold at the Company's sales."

This mode of proceeding, would seem to convey no very unequivocal intimation that the East India Company are not considered as possessing any rights, beyond what may suit the views of expediency of his Majesty's Ministers, for the time being, to permit them to retain; although I do not imagine that such a proposition will be asserted by them in terms. Of this, more hereafter.

But even if the East India Company were deemed to possess no positive rights, the evils which the Court of Directors have shown, by a series of the most enlightened reasoning, founded upon their long experience, and an intimate knowledge of facts, must result to the Company, to the revenue, and to the Empire, from the meditated change, ought, in my opinion, to be sufficient to induce Ministers to pause, and re-consider their determination. It behoves them to reflect, that, unless they can call into their service a degree of ingenuity that is altogether supernatural,—by which the prevention of colonization, and of smuggling, can be rendered compatible with permission to Private Ships, of all sorts and sizes, to trade to India, and to enter the out-ports of these Kingdoms,—they will subject themselves to the imputation of making a rash and ill-considered experiment, of yielding to a senseless and unfounded clamor, and of courting a hollow popularity. If, besides, it should appear that the East India Company are actually possessed of positive rights, it would be to incur a dreadful responsibility, to introduce innovations, *prima facie* no less injurious and unjust towards that great body, than in their immediate and obvious consequences, palpably pregnant with calamity to the whole Empire.

It is difficult not to be persuaded that, in this matter, Ministers, as they cannot be supposed to have meditated the ruin of the East India Company by a side wind, have not acted from conviction; but that they have allowed their better judgments to be borne down by the clamors of certain petitioners, who know not the consequences of what they are demanding, or that they have timidly yielded to a presumed necessity arising from the pressure of the times. This, however, is matter of little consequence; for we are not inquiring into motives, but effects. The having open the trade to India to the out-ports, has been aptly denominated a question of existence with the East India Company. But it is also calculated to affect no less vitally that portion of the public revenue, which depends upon the regular India Trade: and, in its ultimate consequences, even the integrity and safety of the British empire. On this question, his Majesty's Ministers have shown much inconsistency. They expressly declare their conviction, "that the great interests of *policy* and of *revenue*, as well as of the *East India Company*," require, "that the *existing restraints* respecting the intercourse with China should continue; and that the exclusive Trade in *Tea* should be preserved to the Company." Yet the direct, and almost immediate effect of the measure, which they now propose, would be, according to the best judgment of those who have most knowledge of the subject, to destroy every vestige of those exclusive privileges, which they thus admit to be necessary to the policy of the Empire at large!

It has already been fully demonstrated, in the celebrated Letter of Messrs. Grant and Parry, and in the subsequent correspondence of the Court of Directors with the Board of Controul, and is indeed universally acknowledged by those who are acquainted with the subject in all its bearings, that the continuance of an exclusive trade to China, or even of intercourse with that country, is altogether incompatible with the admission of private ships to the trade of India, especially if their burthen should be discretionary, if they should have access there to the Mollucca Islands, and to the out-ports of these Kingdoms upon their return.

It is in fact the opinion of many, that should this measure, with its various ramifications, be persisted in by Ministers, it would be utterly impossible that the Company should go on for any length of

time: and that it would be much more advisable now to begin to wind up their concern, than be obliged to do so a few years hence, under still more unfavorable circumstances, and with more impoverished means.

It has been shown, that the immediate consequences of the competition, which would arise, not so much from the fair as from the clandestine trader, under color of this commerce, would be, an abridgment of the Company's sales, and a sinking of their finances. Events which would soon be followed by the necessity of relinquishing their great establishments; of laying up their vast fleets, now the means of transporting troops and stores, as well as of defending their commerce; and of abandoning their buildings, wharfs, warehouses, and other articles of dead stock, formed at a prodigious expence, and suited only to the Indian Trade, which had so long been their's, all of which would, in such case, become useless and deserted! With the decline of the Company, would be thrown out of activity and employ, twenty-one millions of capital, 1400 commanders and officers, 8000 seamen, 12000 tradesmen, 3000 laborers, and seventy-eight of the finest ships in the world, many of them fit to take their station in line of battle with the British Navy! "

The practice of using the *port of London* only, for the **East India Trade**, which has existed since the first institution of the **Company**, has been productive of advantages too numerous and too well defined to admit of being relinquished upon the mere presumption of uncertain or remote benefits. The custom of selling their imports, at stated periods, by public auction, has been nearly coeval with the Company. These sales are open, honorable, and satisfactory; and are resorted to, with confidence, by the Merchants of the Continent of Europe, as well as by those of Great Britain. So high indeed is the character of the Company with foreign merchants, that purchases have been made by them "on the faith merely of the descriptive marks; and goods (thus marked), on their arrival on the Continent, frequently pass through various hands, before they are finally unpacked." The injuries and frauds, to which an alteration in this mode, consecrated by the practice of centuries, would necessarily give rise, may be readily conceived.

For the security of the revenue arising from the Trade to India, as has been well observed by the Deputation of the Court of Directors, "nothing so effectual could be devised as to bring the imports to one place; to have them lodged under the keys of the Government Officers; to have them sold publicly in the presence of those officers; and finally to have the duties (upwards of four millions *per annum*),¹ thus carefully ascertained, collected through the medium of the Company, and with *hardly any charge* to government! In short," say they, "the present system affords the most complete provision that can be imagined against defect, fraud, or expence, in realizing this branch of the revenue to the Public."

Although we may not be able to say to what precise degree the measure of laying open the Trade to India to private ships, might, in its least noxious operation, immediately affect this branch of the public revenue: there can be no doubt that, by the partial fulfilment of the evils apprehended, it would be considerably injured, and by their total fulfilment destroyed.

It cannot, independently of these considerations, be supposed to make any difference to the East India Company, whether the Trade to India be carried on exclusively from the port of London, or from that of Bristol, Liverpool, or Glasgow; or indiscriminately from all the ports of the United Kingdom. But, since the dangers to be apprehended from the innovations proposed, are as obvious and as well founded as they are great and alarming, it is a duty which that body owe to themselves and to the nation not to submit to them without a struggle.

Accordingly, it was, with a spirit fully justified by the occasion, that Sir Hugh Inglis, the present Chairman of the Court of Directors, in a conference with Lord Buckinghamshire, declared it "as his opinion, that the Court of Directors, in the first instance, and the Court of Proprietors, when laid before them, would resist, by every means in their power, a measure so fatal to the vital interests of the Company and to the public revenue as would be the measure of allowing the ships of individuals to import into any place but the *port of London*;" adding, that "situated as he was,

¹ £,213,425*l.* according to the returns of last year.

he should consider it his duty to resist, and to recommend to the Court of Directors, and ultimately to the Proprietors, to resist the proposition."

And this overwhelming ruin, it seems, is to be brought upon the East India Company, and those connected with them, not only without the offer, but without the smallest chance or prospect of indemnification. Nay, after they should have suffered themselves, as a matter of right, to be tamely despoiled of their commercial, they might prepare to surrender their territorial, privileges at discretion. Into the nature of their rights to both, and to consequent indemnity upon the deprivation of either, I shall take occasion more fully to inquire.

And for what beneficial purpose, for what grand object, is this sum of ruin, or even the risk of it, to be incurred? In order (supposing the best, and that the communication with China should not be interrupted), to transfer the *same* quantity of oriental commerce from London to the out-ports, and from the East India Company to private Merchants! These are the sole objects for which such mighty innovations are now to be attempted; for which a concern that has subsisted for ages, and so succeeded as to be the wonder and envy of the world, is to be subverted and destroyed: and that too on the instigation, or hypothetical reasoning of persons, who erroneously expect, to procure to themselves extraordinary advantages, from a participation in the Trade of which they would deprive the Company.

The only result of any importance to the Public, which we are promised from this innovation, is altogether visionary and fallacious. It is well known to those who are acquainted with India, that the Trade, in European commodities, to that country, is wholly, or almost wholly incapable of being extended. The reverse of this proposition, which is the very first point to be adjusted in this controversy, has been invariably taken for granted, instead of being deliberately examined and decided: and upon this flimsy foundation has been raised the flimsy superstructure of the advocates of what has been called the "Open Trade."

The manufactures of Great Britain, which are annually exported to India, are almost exclusively consumed by the Europeans resident in that country: and until these become much more nu-

merous than they are at present, which can only happen in consequence of colonization, the demand for such articles cannot be extended but in a very inconsiderable degree. This incapability of extension, which depends upon the peculiar and almost unchangeable character of the natives of Asia, is a fact too notorious to admit of being denied, or explained away by the abstract reasonings of political economists. To the state of India, at least, their principles cannot for ages apply. This has been set forth in a clear, satisfactory, and convincing manner, by Messrs. Grant and Parry, in their Letter of April, 1809, and in the correspondence of the successive Chairmen of the Court of Directors, since that period, with the President of the Board of Control, on the subject of the renewal of the Company's Charter. Referring the reader, who wishes to be fully acquainted with the details, to those very able documents, I shall content myself here with stating a few simple but strong facts, which, in my humble apprehension, it is impossible to reconcile to a contrary conclusion.

Of the three thousand tons *per annum*, which the Company are bound, by the act of 1793, to retain for the accommodation of private traders, not above 1200 tons annually, on an average of eighteen years, have been claimed, or little more than one third: and of these 1200 tons, 430, or more than one third, were wine and beer, which articles are consumed by Europeans almost exclusively.

Had there been a demand for any greater quantity of goods than is annually exported by the Company, by the commanders and officers of their ships, and by the private traders admitted under the act of 1793, amounting in all to about two millions sterling, the remainder of the tonnage allowed to private traders by that act would surely have been claimed. This, by the genius of commerce, I hold to be conclusive evidence.

That this tonnage was not claimed then, shows demonstratively that there has not been, since 1793, an increasing demand, to any extent, for the European articles of consumption, used either by the European or native inhabitants of India. Those consumed by the natives, it is well known, are few and inconsiderable. With such, however, as they have occasion for, they are abundantly supplied by the agency of private traders, resident in the East,

whose industry embraces all the ports, to which the commerce of the Company does not extend. This, when carried on by sea, is called the country, or coasting trade. But it also extends its ramifications by land, to the most minute portions of the interior of Asia. And the knowledge and experience of those concerned in it would surely leave nothing of any great value for rivals, fresh from Europe, to explore.

It has been a grievous accusation against the East India Company, that they have neglected to cultivate the trade to several parts within their limits, and prevented the export of our manufactures to "some of the largest and richest regions of the world," where, say the complainants, "there is reason to believe the private merchant might, in the course of an open trade, increase his profits *twenty-fold and upwards.*" The parts here more especially alluded to, are, the Eastern coasts of Africa, the coasts of the Gulfs of Arabia and Persia, and the shores of the Red Sea. But, besides the profits arising from the recorded efforts of the Company, even in early times, to extend the sale of British manufactures in those quarters, a sufficient refutation of this charge is to be found in its absurdity. Were it even possible to believe that the East India Company would have been so blind to their interests as to have neglected a commerce which would have increased their profits "twenty-fold or upwards," it could never be credited that the same indifference to their worldly concerns would have affected the individual traders of the East, unless it be also believed that the climate of India possesses the quality of lessening or destroying the ordinary cupidity of man. Of late times at least, these traders have existed in sufficient numbers to pervade every nook and corner of Asia: and it is not very probable that all of them would have overlooked so favorable an opportunity of speedily making their fortunes. It is notorious that all the attempts, which have been made, to extend the sale of European commodities in India, formerly by the Dutch and Portuguese, at all times by the East India Company, and latterly by American private traders, have failed. Where the efforts of the merchants of those several nations, both in a corporate and individual capacity, and possessing the benefit of great experience, have so long and so uniformly failed, by what species of magic is it that British individual traders, without experience, can now be expected to establish a lucrative trade?

The Americans, who eagerly explored every avenue to trade in India, were only able, in the six most flourishing years of their commerce, to export to that country £667,634 in merchandize and manufactures, including those of their own country; while, in bullion, they exported during the same period £4,543,662.¹ As the profits upon goods, had there been a demand for them, would have been much greater than on bullion, that the quantity of bullion was seven-eighths, and of goods only one-eighth of their whole exports to India, affords an incontrovertible inference that for the latter they found little or no demand. The reason is quite obvious. The consumption of European commodities is almost exclusively confined to European residents. The Company export annually upwards of a million sterling of goods and stores, the commanders and officers of their ships nearly half a million more, and the private traders, admitted by the act of 1793, about £400,000. This supply, amounting to about two millions annually, appears to be adequate to the demand of all the Europeans in India; and the market is even frequently over-stocked. At the present rate of the increase of European inhabitants, this commerce can admit but of a very inconsiderable and a very slow extension; a shackle not to be removed but by a worse evil, the admission of European colonization in India.

It has been already shown that the almost unchangeable character of the natives forms a lasting, if not an insuperable, bar to any considerable or rapid extension of the sale of European manufactures among them. Consequently it cannot be matter of surprise that the experiment of sending unusual quantities of European goods to India, as if the demand could be increased in proportion to the supply, should have failed, as often as it has been tried; always bringing along with it the ruin of the adventurers.

This experiment was made as far back as the time of Cromwell. Individual speculators, and associations of merchants, as Courten's Association, the ~~Assada~~ Assada merchants, and the Merchant Adventurers, traded to India, at that period, under licenses or commissions from

¹ Vide Papers respecting the Negotiation for the renewal of the East India Company's exclusive Privileges.

the Protector.¹ The progress and the fate of these speculations were uniform. They injured the East India Company, by raising the price, and creating a scarcity of goods in India, as well as by importing a superabundance, and lowering the value of them at home. The competition also occasioned a glut of European goods, and consequently a loss upon them in the Indian market. And accordingly these adventurers were all either ruined by their speculations, or, in order to avoid ruin, forced to seek an union with the East India Company.²

In the same manner was terminated the career of other bodies of men, who subsequently entered into competition with the East India Company. From the time of Queen Elizabeth to the end of the seventeenth century, the commercial rights of this body were, at various other periods, as well as in the time of Cromwell, violated in the most scandalous and illegal manner. They were opposed by licitises from the Crown to private traders, contrary to the charters and privileges, which the Crown itself had granted; and those private traders, in sharing all the benefits of the commerce, were exempt from every charge or expenditure for establishments at home and abroad. By a still more outrageous violation of their rights, several years before the expiration of their Charter, a new Company was established, towards the end of the seventeenth century, under the denomination of "the *English East India Company*;" when the original Company, for the sake of distinction, assumed the title of "The *London East India Company*." After a struggle of several years, which materially injured the original Company, and almost wholly ruined the new one, this, like all former rivals, was obliged to seek its safety in an union. And hence arose, in 1707-8, that splendid body which now exists, under the appellation of "The *United East India Company*."

The history of the rivalry of these two Companies, before their union, and of the fate of some private speculators, who, under the constitution of the new Company, had claimed a right of trading on their individual stock, both illustrates and confirms the fact, that competition in the East India Trade ever has been, and,

¹ Vide Bruce's *Annals of the Honorable East India Company*, Vol. I. pp. 435 and 508.

² *Ibid.* Vol. I. p. 572.

while the character of the natives of India remains unaltered, must continue to be productive of loss to the adventurers, without being attended with a single essential benefit to the public. An experiment with similar, but more decisive results, was made in 1788-9, from Ostend, by persons, among others, who had been in the habits of dealing, as tradesmen, with the Commanders and Officers of the Company's Ships, and who might be supposed to have acquired a knowledge of the nature of the business in which they were embarking, at least considerably greater than can be possessed by the merchants and manufacturers, who have recently been petitioning the Legislature for permission to send ships to India; or, in other words, for permission to ruin themselves, and to injure the East India Company. This trade was carried on, under Imperial colors. And it must be in the recollection of every one, who was then in the Company's Sea Service, of every person who was resident at any of the Presidencies of India, and in general of all men of observation at that time connected with the East, in common with the suffering adventurers, what an extensive scene of ruin ensued. Many kinds of European commodities were sold at from 50 to 75 per cent. discount; and even at that price but a very small quantity of what was imported could obtain a sale. The Commanders and Officers of the Company's Ships, and all others who were regularly engaged in the trade, were deeply injured by the competition of these interlopers; and most of themselves were irremediably ruined. I recollect hearing of one case, in which the product of the cargo was said not to be sufficient to pay the freight from Ostend; and the payment of it was successfully resisted in the Supreme Court of Judicature in Calcutta, on the ground of the transaction being illegal.

We have at this moment before our eyes an example of something similar in the fate of the commercial adventurers to Buenos Ayres, and other parts of South America. Although the impediments to the extension of sale for European commodities, are not, in that country, either so complete or of so permanent a nature, as in India, it is but too well known that most of the adventurers, who recently embarked in that trade, have been impoverished or ruined.

¹ For the history of this rivalry, see Bruce's *Annals of the Honorable East India Company*, *passim*.

by the speculation; and that the manufactures of this country are now daily sold at auction at very reduced prices! Yet the expectations that were generally entertained of the immense benefits that would immediately be derived from the opening of so vast a field to commercial intercourse, as the Continent of South America, have ever been greater than those which were formed from an Open Trade to India. There is, however, this wide difference between the two cases, that, with respect to South America, there were no public interests to balance, no privileges to infringe, no rights to invade, no property to violate, before the private trader could have permission to ruin himself, if he pleased. Nay, there being no law to that effect, he could not be prevented from trading with South America, except by the constituted authorities of that country.

There are also other instances in point. At various periods, it has been deemed expedient to allow ships built in India to export cargoes of Rice, and other Commodities, to Britain. And the Commanders and Owners of these Ships being persons of experience, not choosing to invest cargoes here, upon which they would suffer an undoubted loss in India, have generally preferred returning in ballast.

In 1798, when Government, owing to the scarcity of grain which then prevailed, gave encouragement to private Merchants to send Ships to India for Rice, those who availed themselves of that liberty, were considerable losers by the adventure. And it afterwards cost Government a large sum of money to indemnify them.

Thus, by the uniform results of all the experiments which have been made, the impossibility of giving any considerable extension to the trade to India, appears to be placed beyond a doubt. What then would be the consequences to the adventurers themselves, naturally to be expected from permitting an unlimited intercourse with that country, by private ships? One of the most immediate consequences would be, that goods to the amount of perhaps twenty times more than there is a demand for, would be exported from Great Britain to India. Of this amount, nineteen-twentieths would remain on hand, to be returned to Europe at a double expence of freight and insurance, or to rot in the warehouses of India; while even the one-twentieth for which there might be a demand, would, from the glut in the market, necessarily be sold greatly below prime cost. It must be,

therefore, by singular caution and singular intelligence, or extreme good fortune, that any of the private adventurers, who might rashly embark in such a traffic, should escape being ruined. The Commanders and Officers of the Company's Ships, and consequently the tradesmen with whom they deal, would largely participate in the general calamity. Even the Company could not fail to suffer essential injury from so disastrous a competition. With respect to the Manufacturers, they would remain unpaid, to the extent of more than nineteen-twentieths of the goods sold, unless the adventurers could pay them out of their private fortunes. And all these evils would be unaccompanied, and uncompensated for, by any ultimate increase in the quantity of British Manufactures consumed in, or exported to, India. On the contrary, in some instances, the exports might be expected to diminish. The article of Tin, for instance, which the Company have usually exported at a loss from Cornwall, might be procured at Malacca, Banca, and other parts of India, at a cheaper rate, for the supply of the China market. And with respect to Woollens, what individual Merchants could, or would, like the Company, sacrifice £50,000 annually, on this article alone, in order to encourage to the utmost the manufactures of the country? These are sacrifices, which, if the trade were laid open to private Ships, the Company could not be expected, even if they were able, to continue.

Supposing the intercourse with China, notwithstanding this measure, to remain uninterrupted, and the usual quantities of these articles to continue in demand, could the gentlemen of Cornwall and the manufacturers of Woollens, rationally expect from private adventurers equal liberality in prices, or punctuality in payments, as they have always experienced from the East India Company? Most certainly not: but, on the contrary, confusion, disappointment, and loss to all parties would inevitably ensue. Many years must elapse, and an extensive scene of ruin take place, before the trade, thus circumstanced, could find its level; i. e. before it could return to its original state. It is, therefore, obvious that the distresses of the mercantile and manufacturing bodies, which it seemed in part to be the professed intention of this measure to relieve, would be thereby highly aggravated.

I shall here cite a few historical facts, which will aptly illustrate the pernicious consequences, on the markets both in India and Britain, which must flow from the unlimited intercourse of private Ships, between the two countries. They will also incidentally show the incapability, arising from the allotment of certain casts of the natives of India to particular occupations, of increasing the products of industry in that country, to correspond with any great or sudden increase of demand.

The Merchant Adventurers, who, in 1656-7, traded to India, under licenses or commissions, from Cromwell, in writing to their Commanders and Factors, on the low state of the markets for Indian produce in England, inform them "that the number of disconnected interlopers, or private Merchants, had much increased; and that they had brought home great quantities of Indian Commodities, of inferior quality, particularly Cottons, Drugs, and Spices, which had overstocked the market."

They are also complained of in their turn by the Servants of the Company. For we are told, that "the interferences of the supercargoes and shipping of the Merchant Adventurers had rendered the purchase of investments almost impracticable: these private, but now authorized traders, had brought out large quantities of English Goods, and sold them *below prime cost*, and with the money, with which they had been intrusted, had given *high prices* for such Indian articles as they had collected." These are the complaints of the Company's Servants at Surat.

From Fort St. George, they complain that the Merchant Adventurers had "sold their European imports at *low rates*, and bought Indian Articles at *advanced prices*, which had rendered it impracticable to conform to the orders of the Court, to purchase an investment of the finest goods, that would yield a profit to the proprietors. The Ships of the Adventurers had touched, and made purchases at the ports of Negapatnam, Porto Novo, and Tranquebar, and by exorbitant prices, had drained the country of goods, which had reduced the Presidency to the necessity of

¹ Vide Bruce's Annals of the East India Company.—Vol. I. p. 521.

² Ibid. p. 523.

purchasing such Coast Cloths, and such proportions of Pepper and Spices, as could be collected at Bantam, to make up a small investment for Europe.

These extracts abundantly prove, that, under a competition of private speculators, the Indian markets were glutted with European Goods, which, it being impracticable to extend their consumption, were sold below prime cost, to the loss or ruin of the importer. That these private Merchants bought Indian Commodities at exorbitant prices, and drained the country of goods; showing that a considerable increased demand for the Manufactures of India cannot be quickly supplied, but by a deterioration of their quality; And that, with these goods, they overstocked the European market. By each of these three operations, those adventurers must be presumed to have lost; and, by their competition, to have occasioned a loss to the East India Company, as well as, by their inability to discharge their obligations, to have injured the tradesmen, with whom they might have dealt on credit in this country.

Now, until the character of the inhabitants of India shall have undergone a considerable alteration, a similar competition must again produce similar results. Were the trade to India laid open to morrow to private ships, the effects of that measure upon the markets, both at home and abroad, would necessarily be almost precisely such as have been described. To all who might be concerned in this traffic, it would be but a competition for priority of ruin; and without the consolation of a single incidental benefit arising from it to either country.

With respect to Great Britain, in a view of the balance of trade, I cannot help thinking that these changes, in so far as their influence might go, could not but be unfavorable. The benefits to India would be but partial and trifling, as they would be limited to those particular tribes, who manufacture the fabrics in demand; and these advantages would be more than counterbalanced by incidental evils. The number of these manufacturers could not be increased on any emergency, and consequently their supply could not be augmented to the level of an unusual demand, but by the deterioration of their commodities. Colonization, or a change

from other causes in the character of the natives, must make considerable progress, before we can expect to see the use of machinery introduced among them. Yet some of the petitioners for the right of open trade, at the last renewal of the Company's Charter, solicited that the natives of India might not be allowed the use of machinery! Such is human consistency.

The objections already urged against the admission of private ships to trade from Britain to India, will of course apply, with equal force, to the admission of private ships, built in India, and not in the Company's service, to trade from India to Britain. This interference would have precisely the effects upon the markets of both countries, which have been already described. Ships of this description would experience much difficulty in finding cargoes for Europe; and they would be obliged to return to India, with scarcely any other article than specie, and ballast. It is true that in years of scarcity in this country, ships built in India have, by special permission and encouragement, been allowed to import rice to England. But even under these unusual circumstances, they were suffered to unload at the port of London only; they were all of a certain tonnage, and their cargoes were sold at the Company's regular sales; by which means they were rendered, in a considerable degree, subject to the jurisdiction of the Company.

The fate of the adventurers, who might embark in this speculation, excepting in so far as they might be secured by the profits of a rice cargo in a period of great scarcity, would be similar to those, who might fit out private ships from Europe. As far as they might confine themselves to a fair trade, they would be losers both by the outward and homeward cargoes: and they could only to a certainty calculate on the amount of their freight.

Thus, without any public benefit either to India or Britain, the immediate and obvious consequences of the measure in question, would be a grievous injury, and injustice to the East India Company; an enormous loss to the British revenue; the ruin of every individual who might engage in a competition of fair trade; an irresistible encouragement to smuggling; and detriment to the consumer, by the certain deterioration of all the commodities of the East.

From this immense change, the illicit trader alone would derive benefit. By the retail consumer, the fall in the price of the commodities of the East in Europe, and of the commodities of Europe in the East, although sufficient to ruin the wholesale importer, would scarcely be felt as an advantage. With respect to the commodities of India, the difference would be more than compensated by the deterioration to which every article would be subject, in India from the competition in the market, and in Europe, in passing through the hands of the clandestine trader, or in the progress of irregular sales. At present, the consumer has the certainty of procuring articles of unquestionable goodness, and at a price unquestionably fair, at the Company's public sales. How differently might he be served, if cast for his supply upon the cupidity, specious pretences, or chicane, of thousands of individual importers and dealers? With respect to tea especially, the revival of smuggling might be expected again to introduce, as formerly, a spurious, fraudulent, and deleterious article. From such a change, then, the consumer, or the public, in Great Britain, could not be in any degree benefited, but might be considerably incommoded.

With respect to European commodities, the diminution of their retail prices, which a competition would occasion in India, although attended by irreparable loss to the wholesale importer, could be no object to the wealthy European inhabitants of that country, who are their principal consumers.

Nor can the trifling diminution in the price of tonnage, which might take place in consequence of admitting private ships into the trade, be an object worthy of consideration to the importer or consumer; were not the measure otherwise fraught with the dangers, which have been so fully set forth. This will appear from a comparison of the freight paid by the East India Company, with that which was formerly paid to private ships from Ostend.¹

I shall not insist here on the facility, which would arise from the admission of private ships to the trade of India, of clandestine

¹ Vide Bruce's Report of the Negotiation between the East India Company and the Public, &c. p. 63

tinely supplying an enemy with salt-petre in time of war, or on the approach of war, both because it is too obvious to require elucidation, and because the temptations would be notoriously too great to admit of prevention.

From all that has been said, I trust it has been rendered evident, that the benefits which some mercantile and manufacturing bodies in this country have promised to themselves, from the admission of private ships to the trade of India, is nothing but a mere delusion, and a delusion too of the most dangerous kind. If, however, it could, on the contrary, be shown, that such a measure would be attended with the most unequivocal advantages, to these bodies of men, with what color of justice, or of decency, it may be asked, could the East India Company be on that account deprived, without a compensation, of that most essential portion of their privileges, which has been shown to be the safeguard of the remainder?

Upon the subject of the rights of the Company, much misapprehension, and some designed suppression of the truth appear to have taken place.

Some of the advocates for an Open Trade, have chosen to represent the expiration of the Company's exclusive privileges, as the termination of a lease, or the repassing of rights back from the East India Company to the Nation. This is, however, by no means a just analogy, or a fair representation. The privileges of commerce, and the right to territory in the East, were not originally *vested* in the Nation, and therefore could not, as a matter of course, be resumed by it. They are *acquired* by the wisdom, and the treasure of the Company; and by the valor of their armies. They were, consequently, not of the nature of a leasehold property, which, at the expiration of an appointed period, reverts to the owner, and may in justice be disposed of by him, for another term of years, to the highest bidder. The property of the Company is more of the nature of a freehold, which cannot in justice be taken away, but for the essential accommodation of the public, distinctly and unequivocally ascertained, and that by a regular process fixed, if not expressly by law, at least by the acknowledged principles of the laws of this Country. These laws require, that, when the owner of an estate is to be deprived

of any part of his property, for the benefit and convenience of the public, as in making high roads and bridges, he should be amply indemnified, and that by the verdict of a jury of his countrymen. Now this verdict must, in justice, be founded on what it may rationally be presumed the property would bring to the owner at a fair sale. This analogy, although correct as far as it goes, is however, by no means complete. For where can we find a jury capable of estimating, upon any ascertained or familiar principles, the value of the East India Company's territories, and of the trade which depends upon them? We may, indeed, form some faint idea of their value by supposing what would be bid for them by the crowned heads of Europe, if set up to public auction. The price offered, we may readily conceive, would be immense; and such would be the only just criterion of their true value.

But what indemnity has been offered to the Company for the exclusive privilege of trade, or rather of employing shipping, to India, of which it is now proposed to deprive them? Has it never, for a moment, occurred to those Petitioners who are so anxious for participation in their trade, that its existence depends upon the territorial dominion and influence of the Company; that it has cost them immense sums to establish it on its present extensive and flourishing scale: or that it might not be unreasonable to offer them some small compensation for the privilege which they were required to relinquish? This privilege I hold to be their undoubted property, as much as their territories in India, or their freeholds in Britain; a property of which they cannot justly be deprived by any power or authority, without an adequate remuneration. But what can be an adequate remuneration, short of the whole value of their property, for that part of it, by the relinquishment of which it has been shown that all their remaining privileges would be, not simply endangered, but certainly lost?

Were it, however, agreed that the East India Company should be in the first instance fully indemnified, for their territory, trade, and property of every denomination; and were a jury appointed capable of estimating, upon fair grounds, the value of that property; it would next be necessary to consider from what sources the Crown, or his Majesty's Ministers, could draw the amount required for the purchase, having, moreover, first proved the

utility to the public, of the intended transfer, before they could, in justice or propriety, propose that the Company should be deprived of their exclusive privileges.

It is, I believe, universally admitted, that the Company have a positive and absolute right to their forts, factories, warehouses, docks, ships, and stock of every denomination; and that these were all acquired precisely in the same manner in which they acquired their territory and trade; i. e. by labor, negotiation, or purchase. Now, it would be a curious position to hold, and I should like to see the arguments, or to hear the authorities by which it might be supported, that they have not an equal right, or that they have no right at all, to those different kinds of property.

With respect to the Sovereignty of India, which it has been asserted that the Crown has the right, without any public necessity, and without an equivalent, to *resume*, or more correctly, to *appropriate*, let me ask whether it was upon such a principle that the Duke of Athol was divested of the Sovereignty of the Isle of Man? No. A regular negotiation took place, and he was paid £100,000 for it! And if the Sovereignty of the Isle of Man be estimated at £100,000, what may be the value of that of British India? These considerations might have merited some little attention.

That the Legislature have the power, without any public necessity, and even without remuneration, of depriving the East India Company of that part of their exclusive privileges, which has been shown to be the bulwark and support of the remainder, as they are supreme, I do not question. But as they are just, I should be infinitely surprised, if a mere clamour, not even popular, but arising from the misguided selfishness of a few commercial and manufacturing bodies, could have the effect of inducing them, whatever may be the decision of his Majesty's Ministers, for a moment to entertain the notion that so dangerous, or rather so fatal a measure, can possibly be expedient.

While the evils which would inevitably result from the measure of laying open the Trade to India, in the manner proposed, are obvious to every one, the benefits, which would arise from it, are considered as doubtful by the best informed upon the subject,

even of the very Ministers who have proposed it. That Lord Melville is against the measure of admitting the ships of private Merchants into the India Trade, appears sufficiently evident from the following paragraph of his Letter to the Chairs, dated the 20th of March, 1812:—"You will do me the justice to recollect, that in all our discussions on this subject, both recently and on former occasions, the admission of the ships of Merchants in this country into the trade of India, in concurrence with those of the Company, has never been urged as a measure from which much immediate benefit would, in my opinion, be derived, either to the country, or to the individuals who might embark in the speculation; and I certainly am not without considerable apprehensions that at least, on the first opening of the Trade, the Public expectation as to the British territories in India affording any considerable outlet for British manufactures, beyond the amount of our present exports, may be disappointed." This declaration, although expressed with the reserve of a statesman, distinctly manifests the opinion of that Minister who must be presumed to be the best acquainted with the affairs of India. And the removal of Lord Melville, shortly after the date of this letter, from the Board of Control, as well as the extension of the permission to private ships to sail from and to the out-ports of this Kingdom, which had never till then been proposed, are no unequivocal proofs that, in respect to this extraordinary measure, he was overruled in the Cabinet; and that he did not find it consistent either with his own dignity, or with his implied engagements with the Court of Directors, any longer to remain in a situation in which he could neither support the one or fulfil the other.

His Majesty's Ministers must have been aware, that they could not, with safety to their situations, have proposed, in a direct manner, any essential change in the territorial government. To transfer it to the Crown, as has been sometimes talked of, or to vest it in Commissioners for life, as once proposed by Mr. Fox, would at this day be almost universally reprobated, as fraught with the most dangerous consequences to the constitution of the country. Ministers have therefore deemed it most expedient, under the inadmissible conditions already stated, to propose to leave the territorial government of the Indian Empire, as at present, under

the immediate management of the East India Company, through its executive organ, the Court of Directors. It would also be dangerous, they found, to disturb too openly, the course of the China Trade: and this too, for that reason, they have proposed, apparently, to leave to the Company. It does not indeed appear, that, independent of necessity, considerations of justice have been allowed any weight in favor of the claims of this great and powerful body. It seems rather to have been the determination, that the Company should be ruined, either indirectly, by the acceptance of conditions, which would eventually occasion the loss both of their trade and territories, or directly, by a rejection of them, which would supply Ministers with a pretext of transferring to the Crown the power and the patronage of India.

It could scarcely, I think, have been imagined, that the East India Company could have thought it a boon to be allowed to retain merely that portion of their privileges which it might suit the fluctuating expediency of his Majesty's Ministers to leave to them; or that they could receive with deference and submission; any conditions which they might be pleased to annex to their introducing into Parliament a proposition for the renewal of the Charter.

On the contrary, I am well persuaded there is not, at this moment, an individual Member of that Body who would not much rather relinquish at once the whole of their privileges to the Public,—stock, territory, buildings, shipping, and trade,—at a fair valuation, than to have their Charter renewed, for an additional period, in a mutilated and unsafe state. But it was not meant that a choice should be left them; and it is now intimated, not in very measured terms, that Ministers will not on any other conditions than those they have already stated, propose to Parliament a renewal of their Charter.

It will then remain to be seen whether the Company have no means of introducing into Parliament a measure for the preservation of their rights and privileges than through the medium of his Majesty's present Ministers. If not, it must be admitted, that the affairs of the nation are to be regarded as henceforth entirely dependent upon the will and pleasure of the servants of the crown.

Much has been said, by the opponents of the Company, of the

absurdity of Merchants being sovereigns; of their being plunged in debt and approaching towards ruin: and of the government of India being a solecism in politics,—an *imperium in imperio*. m.

For the truth of the remark, that their interests as Merchants have been not only perfectly compatible with their interests as sovereigns, but that these characters have respectively aided each other, we may adduce the high authority of the late Lord Melville, than whom no man of his time had a more complete knowledge of the affairs of India. “By the commercial capital of the Company at home,” says this able statesman, “acting in connection with the public revenues, under their administration abroad, they have mutually aided and administered to the wants of each other; and the result has been, the fortunate achievement of those brilliant events, upon the success of which depended the existence of the government, the territorial wealth, and the Trade of India.”

During the whole period of the present Charter, the political has been invariably debtor to the commercial concerns of the company. But they have also mutually aided each other. As the territorial revenues have been frequently applied to purposes of commercial investment, so have the returns of commerce been rendered subservient to military and political operations.

With respect to the debt of the East India Company, when it is considered that their permanent debt in India and in Europe is only between 28 and 29 millions; that the population of their territories is 60 millions; and the gross annual revenue 26 millions; it will appear comparatively small, and even insignificant. It is only at the rate of 10s. a head for each individual of the population, while that of Great Britain is at the rate of 60l. a head: being as one to one hundred and twenty. The East India Company's affairs, then, so far from being in a state to create despondency, as has been so frequently and so erroneously asserted, may be said to be in a most flourishing condition. The actual state of their territories is such as to leave no apprehensions of expensive or permanent hostility with the native powers; and Lord Minto, the present enlightened Governor-General, has recently con-

veyed to the Court of Directors assurances of his confident expectations, not only of bringing the expenditure within the income, but of realizing a large surplus revenue beyond the ordinary expences in time of peace. From all this, it appears most manifest, not only that the apprehensions of the insolvency of the Company, so often expressed in and out of Parliament, have been either wholly feigned, or have arisen from a total ignorance of their real situation; but that, on the contrary, they are in a state not to be shaken, but by some great and unexpected convulsion, or by the adoption of some such destructive measure as that with which they are now threatened.

Since 1793, both the population and the revenues of the Company's territories have been almost trebled¹ and the duties on their Import Trade to Britain have augmented in at least a similar ratio.² Their annual exports from this country are now £2,320,000; their tonnage 101,797 tons. If this be impending ruin, it is of a nature of which it is not usual to complain.

As to the system of Indian government being an *imperium in imperio*, which must mean, if it means any thing, that it is incompatible with the constitution of this country, I would ask, were any defence necessary, are not the British laws extended to the inhabitants of India, in as full a measure as their situation will allow? Are they not as well administered even as at home? And is not the condition of the natives of that country, who are under the dominion of the Company, as enviable as that of the inhabitants of any portion of the globe? I will add more so: and those persons would not be their friends, who might advise that the highest parts of the British constitution, should be prematurely extended to them.

I am not aware that any objections worthy of notice, to a renewal of the Company's exclusive privileges, for another term of years, have been left unanswered. I do not, however, think that, in the course of the discussions which have taken place on this

¹ In 1793, the revenue of India, on an average of three years, amounted to 6,897,730*l*.—Bruce's Report, &c. p. 47. It is now sixteen millions.

² In 1793, the Duties on the Company's Import Trade exceeded one million (Bruce, p. 46): it now exceeds four.

subject, the Company's rights, and the injustice of violating those rights, without a palpable benefit to the public, and a full indemnification to themselves,) have been always sufficiently insisted on. At no period of the monarchy, from the granting of their Charter by Queen Elizabeth, to the protectorate of Cromwell, nor even by that usurper, were the Company's rights to their forts, factories, or privileges of trade, called into question.¹ Nor does it appear how, by the subsequent extension of territory and trade, which they effected, their rights to these possessions can be presumed to have, in any manner, diminished. This question has however, since that period, been carefully kept out of view; and the Company have been treated, at the different æras of the renewal of their charter, as a body, who had no rights or privileges, but such as his Majesty's Ministers, for the time being, might choose to leave to them, upon receiving a valuable consideration for the exigencies of the state. They have been treated as candidates for the renewal of a lease, having scarcely any superior claims to other bodies of men, who might bid equally high for the privilege of being constituted an East India Company. In this manner, contrary to all right and justice, was a second East India Company at one period formed, for the sake of a temporary accommodation in money to government; and the competition nearly proved the ruin of both. The violation of the Company's rights, by illegal licences to individuals, and associations, was also no unfrequent occurrence in their history. But the plan which is now meditated of depriving them of that privilege, by which alone they can deem their other privileges secure, I cannot but consider as a no less unjustifiable, and a much more dangerous violation of their rights, than any that has ever before been attempted.

As it is evinced by facts, so it is by the authority of eminent names, that the Government and Commerce of India are incapable of being separated, but at the imminent risk of destruction to both. Lord Melville, in his Letter to the Chairman and Deputy Chairman, of the 28th December, 1808, says:—"I have not yet heard, or read any arguments against the continuance of the system under which the British possessions in India are governed,

¹ Vide Bruce's Annals of the East India Company, Vol. I. p. 372.

of sufficient weight to counterbalance the practical benefits which have been derived from it, in their increased and increasing prosperity, and the general security and happiness of their inhabitants." On the same subject, the late Lord Melville, whose opinion on such matters is entitled to the highest deference, thus expresses himself, in a Letter of April 2, 1800:—"I remain equally satisfied, as to the propriety of continuing a monopoly of trade, (by this is meant as to *ships*; for as to *goods*, a monopoly did not exist) in the hands of the East India Company. Those who maintain the reverse, appear to me to be misled by general theories, without attending to the peculiar circumstances of the trade they are treating of. Viewing it even as a *mere commercial* question, I believe this proposition to be a sound one; and if the trade were laid open, the supposed advantages thence arising are at best very problematical, and would certainly be very precarious and short-lived. *It is, however, totally to forget the question, to treat it as a mere commercial one! The same principles prove the necessity of the monopoly of Trade. The Government and the Trade are interwoven together!* And we have only to recur to a very recent experience, to learn the immense advantages which have flowed from that connection of Government and Trade."

The Chairmen of the Court of Directors had, three years ago, pointed out to the President of the Board of Control, that the effects of the innovation proposed would "amount to the destruction of the Company's Indian Trade, their Indian Commercial Establishments, their Indian Shipping, and finally leave the China Monopoly so insulated and unsupported, as to bring that down also, and with it the whole fabric of the Company."

But what have we on the other side to counterbalance those strong facts, those incontrovertible inferences, and those high Authorities? Nothing but the vague and hypothetical reasonings of men, who erroneously conceive that they would themselves be benefited by a participation in the trade to India. It is, then, earnestly to be hoped that Ministers, if such indeed be their motive, will not "persist in this ruinous submission to known combination, and over-bearing importunity;" or at any rate, that the "wisdom of Parliament and the justice of the nation will reject those rash and violent innovations, evidently suggested from a deplorable ignorance of facts."

OBJECTIONS

TO

THE PROJECT OF

CREATING

A VICE CHANCELLOR

England.



TO WHICH IS ADDED,

A LETTER FROM THE AUTHOR

TO

A NOBLE LORD.

OBJECTIONS, &c.

IF the project of appointing an additional Judge in the Court of Chancery, for which a Bill has been lately brought into the House of Lords, shall be adopted by the Legislature, it will effect a more important alteration than has been made within the memory of any person now living in any of our judicial establishments. It behoves us, therefore, while this is still but a project, to examine it with care, and to consider what effects it is likely to produce. Important as the measure is, and, though near the close of the last session of the last parliament, a Bill for carrying it into execution passed the House of Lords, and was read once in the Commons, the subject has hitherto scarcely undergone any examination. The interval which will take place before the present Bill passes into a law, will probably not allow of the subject being much discussed out of parliament, and the occupations of the writer of these few pages are such as would prevent his entering fully into the discussion, even if the time allowed of it. There are some

considerations, however, which appear to him to be of so much moment as to justify his offering them to the public, even in this hasty manner and in this imperfect form.

The objects proposed by this project are, as stated in the Report of the Select Committee of the Lords, from which it originates, that there “ may be secured at the same time a sufficient attendance upon the House of Lords by the Lord Chancellor, and sufficient means for carrying on the business in the Court of Chancery.” To accomplish the first of these objects, there must necessarily be thrown upon the new and additional Judge a great part of the business of the Court, which is now done by the Lord Chancellor. That business may be classed under three heads :

First, the hearing causes, whether coming before the Lord Chancellor as original causes, or upon further directions, on pleas and demurrers, or on exceptions to the reports of masters.

Secondly, the interlocutory proceedings of motions and petitions.

Thirdly, the review of the decrees of the Master of the Rolls upon appeal.

The last of these has hitherto occupied but a small portion of the time of the Lord Chancellor. It appears by the report of the Lords’ Committee, that in the ten last years of the chancellorship of Lord Hardwicke, he had decided only fifty-eight causes on re-hearings and appeals, being an average of less than six a year, including re-hearings of decrees originally pronounced by himself. The number is greater within the last ten years, but even in that period the average number does not exceed nine in a year.

The hearing of motions and petitions certainly engrosses much of the Lord Chancellor’s time ; but yet less than the

decision of causes. It is very obvious, therefore, that in order to enable the Lord Chancellor to afford any considerable attendance in the House of Lords, beyond what he now gives, it will be indispensably necessary that the newly-appointed Judge should relieve his Lordship from those duties which fall under the first head before enumerated. Perhaps it may be thought necessary that his Lordship should be relieved from those which fall under the two first of those heads, leaving him to exercise only an appellate jurisdiction in Chancery; but from the first of them he must be relieved, or the expedient must altogether fail.

This alteration, however, in the constitution of the Court, will divest the office of Lord Chancellor of those functions which have hitherto been considered as the most essential to it, and as constituting its nature and character, and will leave the person who holds the Great Seal, in name still a Chancellor, but in truth a magistrate of a very different description. He will have a variety of great and important duties to discharge, but the least of them will be to transact the business of the Court of Chancery: and, in the mean time, the ancient office of Lord Chancellor will, in effect, be divided between two Masters of the Rolls, or by whatever name they are to be called, neither of them subject to the control of the other, but each in his own hall exercising an original and independent jurisdiction.

This seems the more objectionable on account of the nature of that peculiar system of jurisprudence which is known in this country by the name of Equity. The rules of this system are not laid down in any statutes, but are only to be collected from decisions of which very few have been pronounced more than a century and a half ago; from decisions, too, of judges of whom some were, in a great degree, the authors of the law they were administer-

ing, and were applying to the particular cases before them the rules which they had themselves previously established.

It appears to be extremely essential to the due administration of such a system of jurisprudence, that the person administering it should be intimately acquainted with every part of it, that he should have all its principles and doctrines constantly present to his mind, and the remembrance of them kept alive by habitual and almost daily exercise. If, of the three judges who are to preside in the same Court of Equity, two are to have the law of the court in all its various branches familiar to them, and kept constantly in their view, by a regular uninterrupted attendance in court, and the third is only, as an occasional visitor, to refresh his memory by looking back into records and precedents upon particular heads, just so as to enable him to decide in the course of a year, nine or ten causes, or twice that number, which may happen to be brought before him for decision, upon appeals, it is very obvious, that this effect must, in process of time, be produced; the appeal will lie from a judge, a perfect master of the law he is to administer, to one who has but an imperfect recollection of it; from one who has never departed from what may, if the expression be allowable, be considered as his native court, to one who has migrated into another place, and returns as a kind of foreigner. Or if that effect shall not really have been produced, there will always be a notion prevailing that it has. The suitor who has had a decree in his favor, and who sees it reversed, will be disposed to observe that the judge of the most experience is most likely to have well understood and to have properly decided his cause: and the appellant, whose appeal has been unavailing, will observe, that it is not surprising that the appellate judge should have had so much deference for his superior in experience and ability, though his inferior in rank, as to have submitted to

him his own opinion, and to have affirmed the decree, from deference, not to the reasons of the judgment but to the character and authority of the judge.

When it has been proposed to separate the offices of Lord Chancellor and Speaker of the House of Lords, it has been always objected to such an expedient, that as the House of Lords is a court of appeal, it is highly necessary that the person who presides in it, should have his knowledge of the law kept constantly refreshed, and the habit of applying its rules unrelaxed, and that this can be secured only by his being in the daily habit of administering justice in a subordinate court. But the expedient now resorted to will be attended with that very evil which it is supposed to guard against, and with this additional disadvantage, that the person who so presides is to be an incompetent judge in two Courts of Appeal instead of one.

In a system of jurisprudence founded on no positive rules laid down by the legislature which may be at all times referred to, it must necessarily happen with respect to some of its doctrines, that they must be gradually and insensibly departed from by successive decisions. It may be sufficient to refer to such matters as fraud and breach of trust, to the acts which are considered as part performances of agreement, to illusory appointments, and to the circumstances which convert executors into trustees of a residue undisposed of, to bring to the recollection of those who are well acquainted with the history of the court, examples of what is here alluded to. The particular notions and peculiar habits of thinking of each judge must necessarily have a considerable effect on this, and where two original judges, differently constituted as they must be by nature and habit, are sitting at the same time, it may happen that, with respect to the same rules, there should sometimes be deviations in quite opposite directions, and that there should

come to be gradually established two different laws administered at the same time, on the same subject, and by the same court.

It has been asserted that a very considerable alteration has of late taken place in the Court of Chancery, and that orders are now made upon motions which formerly used to be reserved till the hearing of the cause, and which in many cases have the effect of putting an end to the litigation. It is presumed that the orders thus alluded to are those which are made for the appointment of receivers of estates and of managers of manufactories and mercantile concerns, carried on in partnership, for paying money into court, and for the restraining the working of mines, the diverting of water-courses, the making of navigable canals, and other works of a similar kind. If this be as novel a course of proceeding as it is represented, (and the statement comes from such high authority, no less than the noble and learned lord, who must himself have been the principal author of this innovation, if it has taken place, that we must not doubt it,) it affords a very remarkable instance of that large discretion exercised by judges in Courts of Equity, which has been before alluded to. It is surely only the supreme judge of the court who would venture upon such alterations. A subordinate judge would probably think, that to proceed with safety he must follow the precedents established by his superiors. But whether new or old, whether long established or but recently assumed, there is no doubt that it is a most important part of the jurisdiction of the court. By appointing a receiver, the possession of an estate is suddenly changed. A suspension of the working of collieries and mines may involve the parties in sudden and certain ruin, and a mistake in judicature upon such occasions may be fatal and irretrievable.

These important functions of the Lord Chancellor, it is

now proposed to transfer to his new deputy, though the Master of the Rolls does not exercise them. Motions may, indeed, be made at the Rolls, but at no period of the history of the court have many been made there; the Master of the Rolls, has not, like the Lord Chancellor, days regularly appointed for the sole hearing of them, a few motions of course are all that, according to the practice which now prevails, ever come before him, and these are made only during term, and just when, after having disposed of the appointed business of the day, the court is about to rise. The Master of the Rolls, therefore, will be trusted with the decision of important questions only when they are presented to him upon the solemn hearing of the cause, after an examination upon interrogatories, and what passes in the Court of Chancery by the name of a cross examination of witnesses, while the same questions will in a summary way, upon affidavits, be disposed of by the Vice Chancellor, his inferior in rank, and therefore it is to be presumed his inferior in learning and in talents.

The consequence of this will probably be to introduce another novelty, and a most important one, in the Court of Chancery—appeals upon motions. As the Lord Chancellor has hitherto always heard all important motions himself, such an appeal has, it is believed, never yet been known; but there can be no doubt that it will be perfectly competent to every suitor who thinks himself aggrieved by the decision of a motion against him, to appeal to the Lord Chancellor. An appeal now lies from the orders of the Lord Chancellor on motion to the House of Lords, and unquestionably a similar appeal would lie from the Vice Chancellor to the Chancellor. To what an extent these appeals will be carried, no man can foresee, but it may happen that these, together with the rest of the appeals from the decisions of the two subordinate judges, between

whom all the ordinary business of the court is to be distributed, may be so numerous, that the disposing of them may demand from the Lord Chancellor as large a portion of time as he now devotes altogether to the business of the court. That he will then have as much to do in the court as he has now, cannot be represented, but that he will then have as much to do there, as he is now enabled to do, is by no means improbable, and it will surely be admitted, that if that should be the case, the expedient will have wholly failed of its object.

It will not merely have failed, it will have been productive of the greatest evil, that of greatly enhancing the expense of suits, already grievously and oppressively high, of multiplying the business of the court, and of protracting the final decision of causes.

It has been already observed that appeals from the decrees of the Master of the Rolls to the Lord Chancellor were, till lately, very few in number, and that in Lord Hardwicke's time they were much fewer. A plaintiff has a right to set down his cause where he pleases, and till of late years it was never usual to set down cases of much difficulty or importance at the Rolls. Such causes were, on account of the probability that the party against whom the decree was pronounced would appeal, and to avoid the expense of a second hearing, generally set down in the first instance before the Lord Chancellor, there being from his Lordship's decree only an appeal to the House of Lords, while from the decree of the Master of the Rolls, there lies an intermediate appeal to the Lord Chancellor. Among the Reports in the time of Lord Macclesfield, Lord Talbot, and Lord Hardwicke, few decisions of Masters of the Rolls are to be found, with the exception of those of Sir Joseph Jekyl, all the great doctrines of the court having been settled by the successive Chancellors and upon original

decisions. Of late, however, this has been considerably altered, and in a great degree from the difficulty of obtaining any decision from the Lord Chancellor.

Not only has the number of causes set down before the present Master of the Rolls, very greatly increased, but they are, for the most part, causes very different in their nature, and of much greater difficulty and importance, than those which were used to be set down before him. If the plan of appointing an additional judge should be adopted, it will not be in the power of the parties to prevent these intermediate appeals, and no doubt can be entertained that such appeals will become more numerous, as long as a high opinion shall be entertained of the person who is appointed to the office of Lord Chancellor. If ever indeed a time should arrive when the learning and talents of the persons appointed to the two subordinate judicial offices in Chancery, or indeed of either of them, shall be more highly estimated by the public than those of the person who is selected for the high office of Lord Chancellor, and that this opinion should even be entertained and acknowledged by the Chancellor himself, so that he shall come to sit in his court of appeal only to acknowledge the superiority of the Judge who is appealed from; whenever this shall happen, there will perhaps be few appeals, and the expence and delay of such proceedings will be avoided, but the evil will be of another character and of a much greater magnitude.

The alteration proposed may be described in a few words, but it should seem with great accuracy to be a division of the Chancery into two courts, and the creation of an intermediate court of appeal between the Chancery and the House of Lords.

It may seem extraordinary, that in the preceding observations, the functions of the intended Vice Chancellor should have been spoken of as doubtful, when a bill has

been actually brought into Parliament for the appointment of such a Judge: but the truth is, that the bill leaves it altogether uncertain what his functions are to be. It should seem, that they will be whatever the Lord Chancellor for the time being shall think proper. He is to hear what business the Lord Chancellor shall appoint, and at such times and in such places as his Lordship shall appoint. He is not even to have the discretion in this respect, which a man acting under a general power of attorney is allowed to exercise. Like an inferior artisan employed by some master manufacturer, he is to do just such work as his employer shall direct, and just when and where he shall be pleased to direct. The dignity of the judicial character will surely be but ill consulted in these uncertain and novel duties which are to be imposed on this subordinate Judge.

OUTLINES

PLAN OF FINANCE:

PROPOSED TO BE SUBMITTED .

TO PARLIAMENT.

VOL. I.

NO. I.

S

OUTLINES, &c.

FROM the period of the complete introduction of the Funding System in the early part of the last century, to the close of the American War, the object of our measures of Finance during War appeared to be only to provide for the immediate expenses of the year, by borrowing such Sums as were necessary for any extraordinary charge incurred, and by imposing such Taxes as might meet the interest of the Loan, leaving to the period of Peace the consideration of any provision for the repayment of Debt; and this being attempted at irregular periods and on no permanent system, was never carried into effectual execution; the total amount of Debt redeemed between the Peace of Utrecht and the close of the American War being no more than £8,330,000.

The accumulated expenses of the American War, and the depressed state of Public Credit and of the Revenue at the close of that War, impressed on the vigorous mind of Mr. Pitt the necessity of adopting a more provident system, of which he laid the basis, with admirable judgment, in the Sinking Fund Acts of 1786 and 1792.

At the commencement of the War of the French revolution, Mr. Pitt thought it sufficient, to meet the charge of military and

naval expense by Loans, accompanied by that provision for gradual redemption, which had been established by the Act of 1792.

The increased expenses of the War, and the prospect of its long continuance, induced him, however, in 1797, to aim at the most efficacious system by which a long duration of War can be supported, that of equalizing the Income with the Expenditure of the Country.

For this purpose he proposed, in 1798, the establishment of a general Tax on Income ; intended, with the aid of some other War Taxes, to provide within the year, for a considerable part of the public expenses, and also to repay within a few years after the conclusion of peace, all Debt contracted beyond the amount of the Sinking Fund in each year.

The plans adopted for increasing the National Income upon the renewal of the War, by Lord Sidmouth, and afterwards by Lord Grenville and Lord Henry Petty, in 1803, 4, and 6, were on a much larger scale ; and there is every appearance that the income of the Nation, might at this time have equalled or exceeded its expenditure, if the necessity of a large increase in our foreign expenses had not arisen.

The total amount of the public Expenditure, exclusive of the Sinking Fund, was on an average of the years 1806 and 1807, about £61,600,000. The Income of 1807 (taking the Property Tax, according to its assessment, at about £11,400,000.) was about £59,700,000.

The net produce of the public Income, on an average of the years 1809, 1810 and 1811, deducting the arrears of Property Tax paid in beyond the assessment of each year, was about £64,000,000. which, with the addition of the Taxes imposed in 1811 and 1812, would appear to leave a considerable surplus beyond the amount of the Expenditure of 1807 ; but to this Expenditure must be added the increased charge of unredeemed Debt since that year. This amounts to about £2,300,000. which added to the beforementioned sum of £61,600,000. being the Expenditure of 1807, makes together nearly the above sum of £64,000,000.

The Expenditure of the same years 1809, 1810 and 1811, amounted, it is true, on an average, to nearly £73,000,000. and

that of the year 1811 may be estimated at about £81,000,000. exclusively of the repayment of Exchequer Bills and Loyalty Loan.

The amount therefore of the sum to be provided, in order to equalize the receipt and expenditure of Great Britain on an average of the years 1809, 1810 and 1811, allowing for the increased charge of unredeemed Debt, may be estimated at £9,000,000. or, taking the Expenditure at £81,000,000. at about £17,000,000. from which sums must however be deducted the future produce of the Taxes imposed in 1811 and 1812, which may be estimated at about £2,500,000. and which would reduce the former sum to £6,500,000. and the latter to £14,500,000.

To raise even the lowest of these sums by an immediate imposition of new Taxes, in addition to the great exertions already made, would, however, be considered as a very heavy burden; and one, the severity of which might be felt still more sensibly, from an apprehension, by no means unreasonable, that such a sacrifice might eventually prove to have been unnecessary, as many supposable and even probable cases may arise during the continuance of the War, in which it would be possible very considerably to reduce our expenses.

Nothing more, therefore, can be expected as a permanent War system, than to provide for such a scale of Expense as must necessarily arise out of the state of War, without including that great increase which has been occasioned by our extraordinary exertions abroad in the last four years, and which, in whatever way it may appear to the wisdom of Parliament most proper to provide for it, must be considered as of only an occasional nature.

In the foregoing Statement it is assumed, that the Sinking Fund is no portion of the national expenditure. In fact, by cancelling a certain portion of Debt in each year, it reduces the Debt really incurred, to the amount in which the sum borrowed exceeds the sum to be redeemed. It is evident indeed, that whether the Fund is applied in the purchase of stock already existing, or in reducing the amount of stock to be created, the effect will be nearly the same; and the equalization of the public income and expenditure may consequently be considered as a primary advantage of the Sinking Fund, no less than the actual redemption of Debt.

The former of these objects, so far as is requisite to meet that part of the expenses of the War, which may be considered as necessarily permanent, appears, by the foregoing Statement, to have been already accomplished. It has, indeed, been effected by means which, while they show the extent of the resources of the Country, and evince its firm and unshaken spirit, point out at the same time the expediency of not calling for any further sacrifices which may be avoidable: for this great object has, in fact, been accomplished by the extraordinary payment of more than 200 Millions of War Taxes. This unexampled exertion may be considered as no less powerfully co-operating with the Sinking Fund, in its other great object of the reduction of the Debt, since the creation of a new Debt to an equal amount has thereby been avoided.

These considerations may be thought sufficient to point out the general expediency of any alteration of the present arrangement of the Sinking Fund, which, without violating the provisions of the Act of 1792, may diminish the weight of those further burdens, which the progress of the War may still impose upon the Nation; and with this view, it may be proper to advert to the remarkable period at which the Redemption of the Debt has actually arrived.

When the establishment of the Sinking Fund was proposed by Mr. Pitt, in 1786, the Debt amounted to near £240,000,000; a sum, of which, few then living ever hoped to see the Redemption, but which, by the steady perseverance of Parliament, in this important measure, has already been redeemed.

It is true, that this Redemption has been effected, not solely by the operation of the Sinking Fund established in 1786, but in great part by the provision made for the redemption of Loans since contracted, and also by the redemption of the Land Tax, and, in some degree, by the purchase of Life Annuities. These additional exertions show the spirit and perseverance with which the original system has been carried into execution, amidst all the difficulties of an expensive and protracted Warfare. The separation, kept up, for purposes of account, between the original Sinking Fund of 1786

and the Additions subsequently made to it, is, however, only nominal; it neither has been, nor can be attended to in practice; because the whole of the Debt contracted since the establishment of the Sinking Fund, having been borrowed upon the Old Stocks, and no distinction made between the Old and the New Proprietors, the whole Debt is considered as One indiscriminate mass, to which the purchases made by the Sinking Fund are equally applicable. No right of priority of redemption can exist in any particular class of Stockholders, nor can any conditions of repayment be claimed (except in the instance of the Five-per-cent Loan of 1797) beyond those laid down in the Act of 1792, under the faith of which all subsequent Loans may be considered as contracted.

By that Act, provision is to be made for the redemption, within 45 years, of all Debts subsequently created; and within this limit, Parliament has the power to regulate the mode of the redemption at its discretion; and has in fact exercised that discretion in several instances.

In the years 1798, 1799 and 1800, for example, no provision was made for the immediate reduction of that part of the Loans which was charged upon the Income Tax; but it was intended that those sums should be redeemed by a prolongation of that Tax in time of Peace. In 1802, when the Income Tax was repealed, and other Funds were provided for defraying the interest of those Loans, it was again thought unnecessary to make immediate provision for the redemption of the Principal, which was left to be redeemed by the prolonged operation of the Sinking Funds already existing.

It may therefore be considered as decided, not only by the recorded opinion, but by the established practice of Parliament, that while provision is made, in any manner, for the redemption of each respective portion of the Public Debt, within 45 years from the time of its being created, the enactments of the Act of 1792 are complied with.

It would consequently be equally consistent with the Act of 1792, either to redeem any number of Loans, by applying to the separate redemption of each the distinct portion of Sinking Fund created at the time of its being contracted, or by applying the

whole Fund, in the first instance, to the total redemption of the first contracted Loan, and afterwards to that of the several succeeding Loans in their respective order ; so that each of them should be redeemed within 45 years from its being raised.

This second mode would, however, be attended with important advantages.

In the first mode, the whole charge of Interest and Sinking Fund, occasioned by any number of successive Loans, is appropriated, without any possible relief to the Public, until the whole of one of the Loans shall be completely redeemed by the exclusive operation of the One-per-cent originally attached to it ; which is not likely to happen in much less than 40 years, and may exceed that term. But in the latter case, several of the Loans first contracted will, in the event of a war of considerable duration, though much short of 40 years, have been redeemed previously to the conclusion of the war, and will have furnished, to a considerable extent, the means of providing for a fresh charge ; and this resource will be continually increasing in proportion to the duration of the war.

Another advantage will be, that the redemption of the Debt, being more gradually diffused over the whole period, will produce less alteration in the state of property. This *successive* Redemption is indeed a point of no small importance to the regulation of the Money-market, as the rate of interest and the value of money might be very inconveniently affected, by the too rapid increase or the too sudden reduction of the sums brought into circulation by the Sinking Fund. It should not therefore be suffered to accumulate for too long a period ; while, on the other hand, it should not be too much diminished by extinguishing at once too large a portion of the Public Debt. These considerations appear to have occasioned that provision of the original Sinking Fund Act of 1786, by which its accumulation at compound interest was limited to Four Millions ; and they will be still more effectually provided for, by the mode of successive redemption, which has been pointed out : while another advantage, attending it, would be, that throughout nearly the whole period of its operation, a much smaller portion of the national resources would be occupied in providing for the Public Debt.

The point at which *we* are now arrived in the Redemption of the Debt, affords a most favorable opportunity for the adoption of this mode; which would have been originally preferable, and which the actual duration of the war, and the prospect of its possible further continuance, render at present peculiarly advantageous.

Upon these principles, it is the object of this paper to propose a Plan, by which a gradual and equable Reduction of Debt may be provided for, with great immediate advantage to the Public.

It is only necessary to enact, that the Debt *first contracted* shall be *deemed* to be *first* paid off; whether purchased by the Sinking Fund originally provided for its redemption, or by any other. It has already been shown, that this supposition involves no absurdity, the old Stocks and the additions to them being so mixed, as to render all discrimination impossible; and it is surely very allowable in practice to assume that any given portion of the Public Debt is discharged, when an equal sum, funded in the same securities, has been paid off.

A sum equal to the Capital of the whole Public Debt, existing in 1786, having already been purchased by the Commissioners, or transferred for the redemption of Land Tax, or the purchase of Life Annuities, the execution of this Plan will only require, with regard either to this Sum, or to any Debt hereafter, to be redeemed, that a Certificate of such redemption shall be published in the Gazette, and laid before Parliament by the Commissioners; and that, thereupon, the Stock so redeemed and standing in the names of the Commissioners, shall be at the disposal of Parliament, and liable to be cancelled, in such proportions and at such times as Parliament may direct, to such an amount as may be necessary for charging, upon the same securities, the Dividend and Sinking Fund of any Loan which may have been contracted for the Public Service; but that the *whole Sinking Fund* created by the Act of 1786, or by any subsequent Act, shall be continued and applied, until the total Redemption of all Debt now existing or to be created during the present War. In order, however, effectually to secure the means of redeeming all future Loans within forty-five years, and to preserve a proper proportion between the Sinking Fund and the Unredeemed Debt, it will be expedient to enact,

that whenever the sum borrowed in any year shall exceed the sum to be paid off, a Sinking Fund shall be provided for the excess of Loan, equal to one half of its interest; and for the remainder of the Loan (or for the whole, if not exceeding the amount to be redeemed within the year) a Sinking Fund of One-per-cent, conformably to the Act of 1792.

It may also be observed, that as this arrangement involves the repeal of those provisions of the Act of 1802, under which the whole Sinking Fund then existing was directed to accumulate at Compound Interest, till the complete redemption of the debt which then remained unredeemed, it will be proper to make good to the Sinking Fund the annual sum of £870,000. which would have been appropriated to the redemption of the different sums provided for in 1802, if that consolidation had not taken place, and if those sums had been accompanied by the usual redeeming Fund of One-per-cent. And while, in this respect, the proposed Plan will revert to the original arrangements of the Sinking Fund, it will also conform to them by returning, with much greater advantage, to the principle of those provisions, by which relief would before this time have been obtained to the Public by the limitation of the Sinking Fund, as established by the Act of 1786, and then restricted in its accumulation to the annual sum of Four Millions.

In connection with this part of the subject, should be mentioned the great increase of the Debt in Unprovided Exchequer Bills, of late years; which may be considered as a departure from the spirit of the Sinking Fund Act of 1792. It was certainly the intention of that Act, that every increase of Public Debt, except mere temporary anticipations of income, should have a provision made for its extinction, at the time when it was incurred. But large sums, now amounting in the whole to £26,000,000. have been raised at different times, and continued from year to year, in the shape of Exchequer Bills, without any provision for the Extinction of the Debt so created.

To remedy this inconvenience, the most proper method appears to be, that a Sum should be annually granted to the Commissioners for the reduction of the National debt, equal to One-per-cent on all unprovided Exchequer Bills outstanding on the 5th of January

last, and should continue to be annually issued till they shall be funded, or otherwise permanently provided for. It is not probable that these Bills will ultimately be redeemed, otherwise than by conversion into Funded Debt; in which case the provision now made for their Redemption, will be an anticipation of the Sinking Fund which would then be provided.

The mode of exercising this discretionary power of Parliament, to cancel such portions of Debt as shall have been redeemed, may be varied as circumstances may require; but, during War, that which has been pointed out, appears to be most generally advantageous.

The effect of its adoption will therefore be stated in the first instance; after which it will be proper to take a view of the most beneficial application of which the principles of the Plan may appear to be capable, on the supposition of Peace.

It is not intended to offer any opinion of the amount of the Loans to be raised in future in the event of the continuance of the War: but for the purpose of illustrating the operation of the Proposed Plan in comparison with that of the Present System, in a variety of cases, Tables have been annexed, showing the effects of each on different suppositions.

In the first it is assumed that the Loans in future, for a great number of years, will be equal to that raised in 1812, which, including the Exchequer Bills funded, amounted to £28,000,000.¹

To fund this sum at 5 per cent for four years to come, would, according to the present System, require the imposition of new Taxes to the amount of nearly £7,500,000.; and in the whole, to the year 1830, about which time the Debt consolidated in 1802, would, at that rate of interest, be redeemed by the System now existing, Taxes would be required, supposing the War to last so long, to the amount of upwards of £31,000,000.

But according to the New Plan, it would require no Taxes for the next four years, except about £1,000,000. in the present year, for the purpose of making those immediate additions to the Sinking Fund, which have been above specified: and in the whole, to 1830, only about £18,000,000. would be required.

¹ See Table A. 1, 2, 3.

The whole amount of the Debt now existing would, by the present mode, be redeemed about 1845; by the New Plan, about 1837.

The Sinking Fund will be much greater according to the present Plan, than by that proposed, till about the year 1830, when the Consolidated Sinking Fund of 1802 will fall in, and an annual sum of Twenty-one Millions will be at once taken from it. Their subsequent progress will correspond more nearly, as the successive extinction of Loans will operate on both. The New Plan will, however, continue more equable and uniform in its progress.

If the Sum necessary to be raised should exceed £28,000,000. the advantages of the New Plan, in point of Taxation, would be somewhat diminished; but the redemption of the existing Debt would be accelerated, and the Sinking Fund would increase more rapidly: and opposite effects would of course be produced, if the sums borrowed were diminished, or if they were obtained at a rate of interest below £5. per cent. This is shown by Tables¹ pointing out the effects of a succession of Loans of £25,000,000. and of £12,000,000. respectively, which prove that in the latter case no Taxes would be required, except those provided in the first year, till the complete redemption of the existing Debt.

It may however reasonably be hoped, that even in the event of a continuance of the present rate of expense, the cessation of the imposition of Taxes for some years, would have a considerable effect in improving the existing Revenue, and consequently in lessening the amount to be borrowed. This has been in some degree experienced even in consequence of the partial relief from additional Taxes, which has taken place since the year 1806. It should also be remarked, that such a saving of Permanent Taxes would create a comparative facility of increasing the War Taxes, if such a measure should be thought advisable, as it probably may be in the event of an increase of expense, or even of any considerable duration of its present amount. How far this may be expected, it would be rash to decide, and the supposition of any particular sum is assumed for illustration only, but it is by no means essential to the system itself, which will be found capable of

¹ See Tables B. 1, 2, 3, and C. 1, 2, 3.

being adapted to every variety of circumstances which can be expected to arise.

In the event of Peace the Sinking Fund would continue to accumulate at compound interest as at present, unless the inconveniences arising from the too rapid diminution of the rate of interest, should induce Parliament to interfere by ordering the Stock purchased by the Commissioners to be cancelled. This kind of interruption is not, however, peculiar to the New System; but must equally take place under the present mode of redemption, whenever its progress should be found to be too rapid. In case the present mode of Redemption should be adhered to, such a change, whenever it might take place, would, however, be attended with the disadvantage of appearing to be a Deviation from the established principles of the sinking Fund, while in the former it would obviously be a Consequence flowing from them. In either case, it is highly important that sufficient security should be preserved for the ultimate Redemption of the Debt within 45 years from its creation, according to the provisions of the Act of 1792.

But the principal advantage of the proposed Plan, in time of peace, would be the facility of keeping in reserve the means of funding a large sum (suppose £100,000,000.) as a Resource in case of the renewal of hostilities.

This Fund, which would be formed in a few years by the redeemed Stock standing in the names of the Commissioners, would be continually increasing, unless checked in the manner above mentioned; and in no case should it be reduced below such a sum as may be thought amply sufficient to support the confidence of the Country at home, and to maintain its dignity abroad. It would, indeed, be such a *Trésure*, as no other Country has ever possessed, and the first example of an immense accumulation of Public Property, formed without the impoverishment of any individual, or any embarrassment of the general circulation.—For the sake of illustrating this part of the subject, a Table¹ is annexed, which shows the application of the Plan, to alternate periods of War and Peace.

It may be observed, in favor of this Plan, that it is less liable

¹ See Table D. 1, 2, 3.

than any other modification of the Sinking Fund, to be abused as a precedent for encroachment upon it; but only because it arises out of the principles of the Sinking Fund itself, but because it turns entirely on the application of the Stock purchased by the Commissioners, which must, in any possible arrangement of the Sinking Fund, be cancelled, sooner or later; the only question being as to time and mode.

In considering this subject, we must not forget that the great and ultimate object of the Sinking Fund is, to relieve the Nation from the burden of Taxes which would be entailed upon it by the indefinite extension of the Public Debt. It answers other collateral purposes of considerable importance; but this is its direct and immediate object. Now, as it cannot be less important to prevent the immediate Increase of Taxes, than to provide for their future possible Reduction, *that* would seem to be the best arrangement of a Sinking Fund, which, while it provided for the ultimate discharge of Debt within a certain moderate period, afforded the earliest relief to the Public, and limited the maximum of total charge within the narrowest compass.

Such are the leading considerations which have suggested the foregoing Plan, and the objects which it has been intended to effect. There is, however, no wish to disguise the weight, which the political circumstances of the present moment have had in recommending it: but, on the contrary, a very confident persuasion, that the more fully those circumstances are investigated, the more they will be found to enforce the expediency of such a System.

The following TABLES marked

A. 1.—A. 2.—A. 3.

B. 1.—B. 2.—B. 3.

C. 1.—C. 2.—C. 3.

D. 1.—D. 2.—D. 3.

ARE INTENDED TO GIVE

A comparative VIEW of THE EXISTING SYSTEM, and, THE PROPOSED PLAN; so far as relates to the Amount of TAXES to be imposed in each Year,—The Amount of the SINKING FUND in each Year,—and, The successive REDEMPTION of all FUNDED DEBT—on different Suppositions.



THOSE Parts of them which relate to the Proposed Plan, all assume that an annual Sum of £867,963. equal to one-per-cent on the amount of the Stock provided for in 1802, and on which no Sinking Fund was then created, will be added to the Sinking Fund, and provided for by new Permanent Taxes: and also that £260,000. a year will be added to the Sinking Fund, in respect of unprovided Exchequer Bills. This latter sum is supposed to be supplied by new War Taxes, to an equal amount; and these sums together make up the amount of £1,127,963. for which Taxes are stated in the Tables to be provided in the First year of the New Plan.

The several Loans (except in Table C.) are supposed to be raised at five-per-cent-Interest, with a Sinking Fund equal to one-third of the Interest, being the Proportion applicable, according to the Act of 1792, to a three-per-cent Stock, except in those cases, in which, by the proposed Plan, a larger Sinking Fund is required.

Table, A. 1

Estimated Annual and Total Amount of New Taxes, to be imposed according to the Existing System, and according to the Proposed Plan; on the Supposition of Annual Loans of £. 28,000,000. at £. 5. per cent, until the Redemption of all Funded Debt created prior to 1813.

	EXISTING SYSTEM.		PROPOSED PLAN.		EXCESS of TAXES according to the Existing System.
	Annual.	Total.	Annual.	Total.	
1813	1,866,666	1,866,666	1,127,963	1,127,963	738,703
1814	1,866,666	3,733,332	-	1,127,963	2,605,369
1815	1,866,666	5,599,998	-	1,127,963	4,472,035
1816	1,866,666	7,466,664	-	1,127,963	6,338,701
1817	1,866,666	9,333,330	1,290,206	2,418,169	6,915,161
1818	1,866,666	11,199,996	676,775	3,094,944	8,105,052
1819	1,866,666	13,066,662	2,006,333	5,103,277	7,963,385
1820	1,866,666	14,933,328	1,995,833	7,099,110	7,834,218
1821	1,800,000	16,733,328	1,987,800	9,086,610	7,646,718
1822	1,800,000	18,533,328	-	9,086,610	9,446,718
1823	1,800,000	20,333,328	621,131	9,711,011	10,622,287
1824	1,800,000	22,133,328	1,158,356	10,869,397	11,263,931
1825	1,800,000	23,933,328	1,979,166	12,848,563	11,084,765
1826	1,800,000	25,733,328	1,095,316	13,943,379	11,789,449
1827	1,800,000	27,533,328	618,013	14,561,892	12,971,436
1828	1,800,000	29,333,328	1,962,500	16,524,392	12,808,936
1829	1,800,000	31,133,328	210,312	16,734,734	14,398,594
1830	1,800,000	31,133,328	1,326,662	18,061,396	13,071,932
1831	-	31,133,328	386,706	18,948,102	12,135,226
1832	-	31,133,328	1,015,266	19,993,368	11,139,960
1833	-	31,133,328	24,636	20,718,024	10,415,304
1834	-	31,133,328	1,068,288	21,786,312	9,347,016
1835	-	31,133,328	1,635,211	22,949,523	8,183,805
1836	-	31,133,328	957,766	23,922,289	7,211,039
1837	-	31,133,328	134,563	24,356,852	6,776,476

* In 1821, the War Taxes pledged for the Loan of 1807 will, according to the Existing System at £. 5. per cent, be set at liberty by the Redemption of that Loan, and again become applicable to the service of the year. The future Annual Loans are therefore reduced to £. 27,000,000. and the Charge thereby occasioned to £. 1,800,000; and from the year 1829, it is supposed that the Loans will be charged upon the Funds appropriated to the Consolidated Sinking Fund of 1802, which will fall in in 1830, and the several Loans which will fall in after that year; and therefore no further Taxes will be necessary.

Table, A. 2.

Estimated Amount of the Sinking Fund, at the 1st of August in each Year, according to the Existing System, and according to the Proposed Plan, upon the foregoing Suppositions.

	<i>Existing System.</i>	<i>Proposed Plan.*</i>	
1813	13,269,958	14,397,921	* Throughout this Column, the Sinking Fund is shown as increased by the addition of £1,127,963. proposed to be made in the present year.
1814	14,423,455	13,647,817	
1815	15,631,627	12,860,207	
1816	16,906,357	12,033,217	
1817	18,241,674	11,161,877	
1818	19,643,757	11,607,837	
1819	21,115,944	11,428,842	
1820	22,661,710	12,339,033	
1821	24,281,826	13,396,609	
1822	21,718,019	15,208,314	
1823	26,426,419	11,498,729	
1824	28,220,239	11,409,318	
1825	30,103,750	11,376,057	
1826	32,081,137	16,227,984	
1827	34,158,008	16,719,165	
1828	36,338,408	16,754,351	
1829	38,627,828	18,161,693	
† 1830	19,745,200	17,820,636	
1831	21,204,960	18,634,662	
1832	22,094,571	19,027,436	
1833	23,671,799	19,606,437	
1834	23,063,828	19,877,542	
1835	23,194,319	20,523,121	
1836	25,111,554	21,300,648	
1837	26,858,638	21,917,984	
1838	28,674,069		
1839	30,580,272		
1840	32,581,785		
1841	34,683,374		
1842	36,890,042		
1843	37,158,317		
1844	36,822,317		
1845	37,953,346		

† In 1830, the Sinking Fund, according to the Existing System, is reduced from £41,031,719. its Amount on the 1st August of that year, to £19,745,200. in consequence of the Redemption of the Debts consolidated by the Act of 1802.

A Reduction of a similar nature, but of a smaller Amount, takes place on the Redemption of each subsequent Loan, the Period of which may be found in Table, A. 3.

Table, A. 3.

Statement of the Periods of Redemption of the Funded Debt contracted prior to 1813, according to the Existing System, and according to the Proposed Plan; continuing the foregoing Suppositions.

LOANS.		<i>Existing System.</i>	<i>Proposed Plan.</i>
All prior to - - -	1793	1830	1813
Loan of - - - - -	1793	do	1813
	1794	do	1814
	1795	do	1816
	1796	do	1813
	1797	do	1822
	1798	do	1823
	1799	do	1824
	1800	do	1826
	1801	do	1827
	1802	do	1829
	1803	1832	1839
	1804	1834	1830
	1805	1834	1831
	1806	1835	1832
1807 { War Tax Loan		1821	1833
{ Supp. Loan -		1837	1833
	1808	1814	1833
	1809	1813	1834
	1810	1813	1835
	1811	1812	1836
	1812	1814	1837

N. B. Supposing no further Loans to be contracted after the total redemption of the Debt existing prior to 1813, and the redemption of Debt to proceed thenceforward at £.3. per cent compound interest, the Debt remaining unredeemed in the year 1815, according to the Existing System, would be wholly redeemed in the year 1891.

And the Debt remaining unredeemed in 1837, according to the Proposed Plan, would be wholly redeemed in the year 1870.

National Debt Office,
Feb. 25th, 1813.

S. HUGHAM.

Table, B. 1.

Estimated Annual and Total Amount of New Taxes, to be imposed according to the Existing System, and according to the Proposed Plan; on the Supposition of Annual Loans of 25 Millions at £.5. per centum, until the Redemption of all Funded Debt created prior to 1813.

N. B. In this, and the following Tables, it has not been thought necessary to make allowance in the calculations which relate to the Proposed Plan, for the application within the first year of the Per-Centage provided for each Loan; the operation of which has, however, been attended to in Table A, and throughout all the calculations respecting the Existing System.

EXISTING SYSTEM.		PROPOSED PLAN.		EXCESS of TAXES, according to the Existing System.
Annual.	Total.	Annual.	Total.	
1813	1,666,666	1,666,666	1,666,666	538,703
1814	1,666,666	3,333,332	1,127,963	2,205,369
1815	1,666,666	4,999,998	1,127,963	3,872,035
1816	1,666,666	6,666,664	1,127,963	5,538,701
1817	1,666,666	8,333,330	1,281,835	7,051,495
1818	1,666,666	9,999,996	1,500,112	8,499,884
1819	1,666,666	11,666,662	1,737,590	9,932,072
1820	1,666,666	13,333,328	1,779,166	11,554,162
1821	1,600,000	14,933,328	1,766,666	13,166,662
1822	1,600,000	16,533,328	7,071,109	9,465,219
1823	1,600,000	18,133,328	1,086,931	8,378,397
1824	1,600,000	19,733,328	855,333	7,478,055
1825	1,600,000	21,333,328	933,336	6,544,722
1826	1,600,000	22,933,328	382,316	5,162,412
1827	1,600,000	24,533,328	1,700,000	3,463,428
1828	1,600,000	26,133,328	397,179	3,066,149
1829	1,600,000	27,733,328	1,341,666	1,714,662
1830	- - -	27,733,328	- - -	14,721,390
1831	- - -	27,733,328	1,039,504	15,693,824
1832	- - -	27,733,328	0 0 39	16,493,933
1833	- - -	27,733,328	532,766	17,266,699
1834	- - -	27,733,328	1,147,940	18,585,389
1835	- - -	27,733,328	1,030,892	19,616,492
1836	- - -	27,733,328	813,263	20,398,809
1837	- - -	27,733,328	942,378	21,341,437
1838	- - -	27,733,328	747,766	22,085,671
1839	- - -	27,733,328	209,563	22,876,108

* In 1821, the War Taxes pledged for the Loan of 1807 will, according to the Existing System at £. 5. per centum, be set at liberty by the redemption of that Loan, and again become applicable to the Service of the year. The future annual Loans are therefore reduced to £. 24,000,000. and the charge thereby occasioned to £. 1,000,000. ; and from the year 1829, it is supposed that the Loans will be charged upon the Funds appropriated to the Consolidated Sinking Fund of 1802, which will fall in in 1830, and the several Loans which will fall in after that year; and therefore no further Taxes will be necessary.

Table, B. 2.

Estimated Amount of the Sinking Fund at the 1st of August in each Year, according to the Existing System, and according to the Proposed Plan; upon the foregoing suppositions.

	<i>Existing System.</i>	<i>Proposed Plan.*</i>	
1813	13,269,953	11,397,991	* Throughout this Column, the Sinking Fund is shown as increased by the addition of £. 1,27,963. proposed to be made in the present year.
1814	13,370,955	13,779,900	
1815	15,527,002	13,130,770	
1816	16,740,351	12,143,975	
1817	18,015,392	11,732,673	
1818	19,353,660	11,145,063	
1819	20,758,312	10,811,333	
1820	22,231,263	11,921,432	
1821	22,569,641	13,046,722	
1822	21,139,123	11,215,724	
1823	25,766,079	13,633,593	
1824	27,474,382	14,071,175	
1825	29,263,101	14,336,066	
1826	31,151,906	14,697,076	
1827	33,129,031	15,021,178	
1828	35,205,555	16,272,256	
1829	37,385,611	16,465,302	
1830	48,366,582	17,465,753	
1831	49,728,011	17,002,579	
1832	50,491,271	17,070,310	
1833	51,935,837	17,920,903	
1834	51,183,963	18,351,599	
1835	51,172,796	19,111,750	
1836	52,966,455	19,897,909	
1837	54,522,294	20,112,651	
1838	56,168,398	21,413,342	
1839	57,896,317	21,621,938	
1840	59,711,657		
1841	51,617,239		
1842	53,613,100		
1843	53,670,278		
1844	53,107,376		
1845	54,000,158		

In 1830, the Sinking Fund, according to the Existing System, is reduced from £. 39,675,101. to £. 18,388,532, in consequence of the Redemption of the Debts consolidated by the Act of 1802.

A reduction of a similar nature, but of smaller Amount, takes place on the Redemption of each subsequent Loan, the Period of which may be found in Table, A. 3.

Table, B. 3.

Statement of the Periods of Redemption of the FUNDED DEBT contracted prior to 1813, according to the Existing System, and according to the proposed Plan; continuing the foregoing Suppositions.

LOANS.		Existing System.	Proposed Plan.
All prior to	1793	1830	1813
Loan of	1795	do	1813
	1794	do	1814
	1795	do	1816
	1796	do	1818
	1797	do	1822
	1798	do	1824
	1799	do	1825
	1800	do	1826
	1801	do	1823
	1802	do	1830
	1803	1832	1830
	1804	1834	1831
	1805	1834	1832
	1806	1835	1833
1807 {	War Tax Loan	1821	1834
	Supp. Loan	1837	1834
	1808	1844	1835
	1809	1843	1836
	1810	1843	1837
	1811	1845	1838
	1812	1844	1839

N. B. Supposing no further Loans to be contracted after the total redemption of the Debt existing prior to 1813, and the redemption of Debt to proceed thenceforward at 3 $\frac{1}{2}$ per cent compound interest, the Debt remaining unredeemed, in the year 1845, according to the Existing System, would be wholly redeemed in the year 1891.

And the Debt remaining unredeemed in 1839, according to the Proposed Plan, would be wholly redeemed in the year 1872.

Table, C. 1.

Estimated ANNUAL and TOTAL AMOUNT of NEW TAXES, to be imposed according to the Existing SYSTEM, and according to the Proposed PLAN; on the Supposition of Annual Loans of 12 Millions at 3½ per cent, until the Redemption of all Funded Debt created prior to 1813.

	EXISTING SYSTEM.		PROPOSED PLAN.		EXCESS of TAXES, according to The Existing System.	EXCESS of TAXES according to The Proposed Plan.
	Annual.	Total.	Annual.	Total.		
1813	480,000	480,000	1,127,963	1,127,963	-	647,963
1814	480,000	960,000	-	1,127,963	-	167,963
1815	480,000	1,440,000	-	1,127,963	312,037	—
1816	480,000	1,920,000	-	1,127,963	792,037	—
1817	480,000	2,400,000	-	1,127,963	1,272,037	—
1818	480,000	2,880,000	-	1,127,963	1,752,037	—
1819	480,000	3,360,000	-	1,127,963	2,232,037	—
1820	480,000	3,840,000	-	1,127,963	2,712,037	—
1821	480,000	4,320,000	-	1,127,963	3,192,037	—
1822	480,000	4,800,000	-	1,127,963	3,672,037	—
1823	480,000	5,280,000	-	1,127,963	4,152,037	—
1824	480,000	5,760,000	-	1,127,963	4,632,037	—
1825	480,000	6,240,000	-	1,127,963	5,112,037	—
1826	410,000	6,650,000	-	1,127,963	5,532,037	—
1827	410,000	7,100,000	-	1,127,963	5,992,037	—
1828	410,000	7,500,000	-	1,127,963	6,432,037	—
1829	410,000	8,000,000	-	1,127,963	6,872,037	—
1830	410,000	8,411,000	-	1,127,963	7,312,037	—
1831	410,000	8,880,000	-	1,127,963	7,752,037	—
1832	410,000	9,320,000	-	1,127,963	8,192,037	—
1833	410,000	9,760,000	-	1,127,963	8,632,037	—
1834	410,000	10,200,000	-	1,127,963	9,072,037	—
1835	410,000	10,640,000	-	1,127,963	9,512,037	—
1836	410,000	11,080,000	-	1,127,963	9,952,037	—
1837	410,000	11,520,000	-	1,127,963	10,392,037	—
1838	410,000	11,960,000	-	1,127,963	10,832,037	—
1839	410,000	12,400,000	-	1,127,963	11,272,037	—
1840	410,000	12,840,000	-	1,127,963	11,712,037	—

* In 1826, the War Taxes pledged for the Loan 1807 will, according to the Existing System at 3½ per cent, be set at liberty by the redemption of that Loan, and again become applicable to the Service of the year. The future annual Loans are therefore reduced to 11,000,000*l.* and the Charge thereby occasioned to 410,000*l.*; and from the year 1840, it is supposed that the Loans will be charged upon the Funds appropriated to the Consolidated Sinking Fund of 1802, which will fall in in 1841, and the several Loans which will fall in after that year; and therefore no other Taxes will be necessary.

The rate of 3½ per cent. is assumed on the above-mentioned suppositions, as showing nearly the latest period to which the Redemption could be protracted, according to the Proposed Plan.

Table, C. 2.

Estimated amount of the SINKING FUND at the 1st August in each year, according to the Existing System, and according to the Proposed Plan; upon the foregoing Supposition.

	Existing System.	Proposed Plan.*	
1813	13,110,425	14,268,458	* Throughout this Column, the Sinking Fund is shown as increased by the addition of 1,127,903 <i>l.</i> proposed to be made in the present year.
1814	13,658,309	14,822,111	
1815	14,191,633	15,377,374	
1816	14,711,007	15,934,295	
1817	15,206,837	16,492,923	
1818	15,839,612	17,053,510	
1819	16,489,931	17,615,509	
1820	17,108,228	18,179,374	
1821	17,745,074	18,745,561	
1822	18,401,926	19,313,527	
1823	19,076,656	19,883,582	
1824	19,772,555	20,455,637	
1825	20,489,331	21,029,906	
1826	21,223,725	21,606,403	
1827	21,974,067	22,185,195	
1828	22,740,608	22,766,350	
1829	23,521,622	23,349,949	
1830	24,316,479	23,936,938	
1831	25,124,135	24,527,719	
1832	25,943,219	25,121,060	
1833	26,773,145	25,716,141	
1834	27,613,629	26,313,015	
1835	28,464,523	26,911,836	
1836	29,325,543	27,512,601	
1837	30,196,819	28,115,550	
1838	31,077,294	28,720,616	
1839	31,967,732	29,327,952	
1840	32,867,723	29,937,602	
† 1841	33,776,665	30,549,311	
1842	34,694,914	31,163,396	
1843	35,622,452	31,779,853	
1844	36,559,178	32,398,683	
1845	37,504,142	33,019,800	
1846	38,457,375	33,643,302	
1847	39,418,866	34,269,286	
1848	40,387,615	34,897,754	
1849	41,363,604	35,528,717	
1850	42,346,732	36,162,179	
1851	43,336,493	36,798,136	
1852	44,332,779	37,436,593	
1853	45,335,600	38,077,549	
1854	46,344,973	38,720,998	
1855	47,360,967		
1856	48,383,615		
1857	49,412,953		
1858	50,448,418		
1859	51,489,301		
1860	52,535,600		
1861	53,587,593		
1862	54,645,193		
1863	55,707,520		
1864	56,774,166		
1865	57,845,194		
1866	58,919,622		

† In 1841, the Sinking Fund, according to the Existing System, is reduced from 33,776,665*l.* to 33,776,665*l.* in consequence of the redemption of the Debts consolidated by the Act of 1824.—A Reduction of similar nature, but of smaller amount, take place on the Redemption of each subsequent Loan, the Period of which may be found in Table, C. 3.

Table, C. 3. *k*

Statement of the Periods of Redemption of the F^UNDED DEBT contracted prior to 1813, according to the Existing System, and according to the Proposed Plan; continuing the foregoing Suppositions.

LOANS.		Existing System.	Proposed Plan
All prior to	1793	1811	1814
Loan of	1793	do	1814
	1794	do	1815
	1795	do	1817
	1796	do	1821
	1797	do	1826
	1798	do	1828
	1799	do	1830
	1800	do	1832
	1801	do	1835
	1802	do	1838
	1803	1814	1839
	1804	1817	1840
	1805	1817	1842
	1806	1850	1844
1807 {	War Tax Loan	1826	1845
{	Supp. Loan	1853	1845
	1808	1865	1846
	1809	1862	1848
	1810	1863	1850
	1811	1866	1851
	1812	1864	1854

N. B. Supposing no further Loans to be contracted after the total redemption of the Debt existing prior to 1813, and the redemption of Debt to proceed thenceforward at 3 $\frac{1}{2}$ per cent, compound interest, the Debt remaining unredeemed, in the year 1866, according to the Existing System, would be wholly redeemed in the year 1912.

And the Debt remaining unredeemed in 1854, according to the Proposed Plan, would be wholly redeemed in the year 1875.

Table, D. 1.

Estimated ANNUAL and TOTAL AMOUNT of NEW TAXES to be imposed according to the Existing SYSTEM, and according to the Proposed PLAN; on the Supposition of the continuance of War until the year 1820, and from thence to be succeeded by alternate Periods of Ten Years of Peace and War.—Annual Loans of 25,000,000*l.* at 5*l.* per centum during War: Interest at 4*l.* per centum during Peace.

	EXISTING SYSTEM.		PROPOSED PLAN.		EXCESS of TAXES according to The Existing System.
	<i>Annual.</i>	<i>Total.</i>	<i>Annual.</i>	<i>Total.</i>	
WAR.	1813	1,666,666	1,666,666	1,127,963	538,703
	1814	1,666,666	3,333,332	1,127,963	2,205,369
	1815	1,666,666	4,999,998	1,127,963	3,872,035
	1816	1,666,666	6,666,664	1,127,963	5,538,701
	1817	1,666,666	8,333,330	156,872	7,018,495
	1818	1,666,666	9,999,996	455,942	8,259,219
	1819	1,666,666	11,666,662	1,787,300	8,138,385
PEACE.	1820	—	11,666,662	—	8,138,385
	1821	—	11,666,662	—	8,138,385
	1822	—	11,666,662	—	8,138,385
	1823	—	11,666,662	—	8,138,385
	1824	—	11,666,662	—	8,138,385
	1825	—	11,666,662	—	8,138,385
	1826	—	11,666,662	—	8,138,385
	1827	—	11,666,662	—	8,138,385
	1828	—	11,666,662	—	8,138,385
	1829	—	11,666,662	—	8,138,385
WAR.	1830	1,600,000	11,866,662	—	9,738,385
	1831	1,600,000	11,866,662	—	11,338,385
	1832	—	11,866,662	—	11,338,385
	1833	—	11,866,662	—	11,338,385
	1834	—	11,866,662	—	11,338,385
	1835	—	11,866,662	—	11,338,385
	1836	—	11,866,662	917,199	10,121,186
	1837	—	11,866,662	1,118,582	9,302,804
	1838	—	11,866,662	830,788	8,122,016
	1839	—	11,866,662	979,878	7,112,138

In 1821, the War Taxes pledged for the Loan 1807 will, according to the Existing System at 5*l.* per cent, be set at liberty by the Redemption of that Loan, and again become applicable to the Service of the Year. The future Annual Loans are therefore reduced to 24,000,000*l.* and the Charge thereby occasioned to 1,600,000*l.*, and from the year 1831, it is supposed that the Loans will be charged upon the Funds appropriated to the Consolidated Sinking Fund of 1802, which will fall in in 1832, and the several Loans which will fall in after that year; and therefore no further Taxes will be necessary.

Table, D. 2.

Estimated Amount of the SINKING FUND at the 1st of August in each Year, according to the Existing SYSTEM, and according to the Proposed PLAN, upon the foregoing Suppositions.

	<i>Existing System.</i>	<i>Proposed Plan.*</i>	
1813 —	13,269,958	14,397,921	* Throughout this Column, the Sinking Fund is shown as increased by the addition of 1,127,963 <i>l.</i> proposed to be made in the present year.
1814 —	14,370,955	15,779,500	
1815 —	15,127,002	16,430,770	
1816 —	16,740,831	17,433,975	
1817 —	18,013,393	18,732,673	
1818 —	19,003,000	19,445,602	
1819 —	20,738,342	20,844,505	
1820 —	22,234,233	22,924,462	
1821 —	24,929,799	24,393,541	
1822 —	22,306,990	19,691,274	
1823 —	23,749,269	13,110,044	
1824 —	24,668,039	13,946,445	
1825 —	25,601,760	14,501,302	
1826 —	26,600,950	15,081,474	
1827 —	27,748,458	15,637,352	
1828 —	28,858,415	16,215,006	
1829 —	30,042,439	16,807,960	
1830 —	31,212,936	17,616,699	
1831 —	33,192,563	17,492,575	
† 1832 —	13,976,742	16,715,537	
1833 —	15,106,079	16,214,438	
1834 —	15,636,215	16,683,076	
1835 —	16,403,485	15,435,483	
1836 —	16,796,274	14,551,447	
1837 —	15,310,364	14,907,320	
1838 —	17,001,443	15,439,483	
1839 —	18,264,927	15,344,239	
1840 —	19,644,023	16,335,433	
1841 —	20,396,589	16,985,350	
1842 —	21,244,532	17,666,404	
1843 —	22,063,443	18,373,440	
1844 —	22,945,637		
1845 —	23,863,462		
1846 —	22,769,273		
1847 —	24,746,344		
1848 —	24,583,031		
1849 —	24,577,898		

† In 1832, the Sinking Fund, according to the Existing System, is reduced from 35,273,261*l.* to 13,976,742*l.* in consequence of the redemption of the Debt, consolidated by the Act of 1802.

A Reduction of a similar nature, but of smaller Amount, takes place on the Redemption of each subsequent Loan, the Period of which may be found in Table, C. 3.

Table, D. 3.

Statement of the Periods of Redemption of the FUNDED DEBT contracted prior to 1813, according to the Existing System, and according to the Proposed Plan; continuing the foregoing Suppositions.

LOANS.		Existing System.	Proposed Plan.
All prior to	1793	1832	1813
Loan of	1793	do	1813
	1794	do	1814
	1795	do	1816
	1796	do	1818
	1797	do	1823
	1798	do	1825
	1799	do	1826
	1800	do	1828
	1801	do	1830
	1802	do	1831
	1803	1834	1832
	1804	1835	1833
	1805	1836	1834
	1806	1837	1835
1807 { War Tax Loan		1821	1835
{ Supp. Loan		1809	1830
	1808	1813	1837
	1809	1816	1833
	1810	1816	1832
	1811	1819	1841
	1812	1817	1843

N. B. Supposing no further Loans to be contracted after the total redemption of the Debt existing prior to 1813, and the redemption of Debt to proceed thenceforward at 3*l*. per cent, compound interest, the Debt remaining unredeemed, in the year 1847, according to the Existing System, would be wholly redeemed in the year 1883.

And the Debt remaining unredeemed in 1843, according to the Proposed Plan, would be wholly redeemed in the year 1809.

MARCH 1813.

FINANCE.

(1.)

THAT the Total Capital of the Funded Debt of *Great Britain*, on the 5th of January 1786, was £238,231,248. 5. 24.; that Provision was made for the gradual Reduction thereof, by an Act passed in the same year; and that further Provision has been made by several Acts since passed, for the more effectual Reduction of the said Debt, and of the Public Debt since contracted.

(2.)—That by virtue of the said Acts, the sum of £238,350,143. 18. 1. exceeding the said Sum of £238,231,248. 5. 24., by £118,895. 12. 10 $\frac{1}{4}$; had, on or before the 1st March 1813, been actually purchased by the Commissioners for the Reduction of the National Debt, or transferred to the said Commissioners, for the Redemption of Land Tax, or for the Purchase of Life Annuities.

(3.)—That it is expedient now to declare, that a Sum of Capital Stock, equal to the Total Capital of the Public Debt existing on the said 5th January 1786, hath been purchased or transferred as aforesaid; and, so soon as further Sums of the Public Debt shall have been so purchased or transferred, making, in the whole, an amount of annual charge of the public debt so pur-

chased or transferred, equal to the whole annual charge of the public debt existing on the said 5th day January 1786; to declare further, that an amount of public debt, equal to the whole capital and charge of the public debt existing on the said 5th day of January 1786, hath been satisfied and discharged; and that, in like manner, an amount of public debt equal to the capital and charge of every loan contracted since the said 5th January 1786 shall, successively and in its proper order, be deemed and declared to be wholly satisfied and discharged, when and as soon as a further amount of capital stock, not less than the capital of such loan, and producing an interest equal to the dividends thereupon, shall be so redeemed or transferred.

(4.)—That, after such declaration as aforesaid, the capital stock purchased by the said commissioners, and standing in their names in the books of the governor and company of the bank of *England* and of the *South Sea* company, shall from time to time be cancelled, as if the same had been transferred for the redemption of land-tax; at such times, and in such proportions, not exceeding the amount of debt so declared to be satisfied and discharged (after reserving thereout any sum or sums necessary to make provision for the payment of all life annuities chargeable thereupon) as shall be directed by any act or acts of parliament to be passed for such purpose; in order to make provision for the charge of any loan or loans thereafter to be contracted, upon the same funds or securities as are chargeable with the said stock, so declared to be satisfied and redeemed.

(5.)—That, in order more effectually to secure the redemption of the public debt, conformably to the provisions of the Act of the 32d Geo. III. cap. 5. it is expedient to enact that all sums granted for the reduction thereof, by the several Acts aforesaid, should be further continued and made applicable to the reduction of all public debt, now existing, or which may be hereafter contracted, during the present war.

(6.)—That, in order to carry into effect the provisions of the Acts of the 32d and 42d of the King, for redeeming every part of the national debt within the period of 45 years from the time of its creation, it is also expedient that, in future, whenever the amount of the sum to be raised, by loan, or by any other addition

to the public funded debt, shall in any year exceed the sum estimated to be applicable in the same year to the reduction of the public debt, an annual sum, equal to one half of the interest of the excess of the said Loan or other addition, beyond the sum so estimated to be applicable, shall be set apart out of the monies composing the consolidated fund of *Great Britain*, and shall be issued at the receipt of the Exchequer, to the Governor and Company of the Bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt; and upon the remainder of such loan or other addition, the annual sum of one per cent on the capital thereof, according to the provisions of the said Act of the 32d year of his present majesty.

(7.)—That, in order to prevent the increase of the public debt by means of Exchequer Bills annually renewed, it is expedient that, on the 5th January in every year, an account be taken of all Exchequer Bills outstanding and charged upon funds not deemed capable of making good the same, within one year from such 5th of January, and that a sum equal to one per cent. thereupon be granted out of the supplies of such year, to the said commissioners for the reduction of the national debt.

(8.)—That it is expedient that so much of the Act passed in the 42d year of the reign of his present Majesty (42 Geo. 3. cap. 71.) as directs that all monies whatever, which shall be placed from time to time to the account of the said commissioners, by virtue of either of the therein recited Acts (except so far as the same are hereby repealed) or by virtue of this Act, shall and are hereby appropriated, and shall accumulate in manner directed by the said Acts, for the Reduction of the National Debt of *Great Britain*; and shall be from time to time applied by the said commissioners, pursuant to the directions, and under and according to the restrictions and provisions, of the said therein recited Acts; either in payment for the redemption or in the purchase of the several redeemable public annuities of *Great Britain*, until the whole of the perpetual redeemable annuities, now charged upon the public funds of *Great Britain*, including such charge as has arisen, or may arise, on any loan made in *Great Britain*, before the passing of this Act; and also such charge as shall arise by any annuities, interests and dividends, payable in consequence of any loans made

chargeable on the consolidated fund, by an Act passed in this session of parliament, intituled, "An Act for repealing the duties on Income, for the effectual collection of arrears of the said duties, and accounting for the same, and for charging the annuities specifically charged thereon upon the Consolidated Fund of *Great Britain*," shall have been completely redeemed or purchased, should be repealed.

(9.)—That it is expedient to make provision, that an annual sum of £.867,963. being equal to one per cent. on the capital stock created in respect of several loans raised by virtue of divers Acts passed in the 38th, 39th and 40th, and 42d years of his present Majesty, and for the interest and charges of which provision was made in the said 42d year of his Majesty, shall be set apart out of the monies composing the consolidated fund of *Great Britain*, and shall be issued at the receipt of the Exchequer, to the governor and company of the Bank of England, to be by them issued to the commissioners for the reduction of the national debt.

(10.)—That it is expedient to make further provision for the more effectual and speedy redemption of the land-tax.

THE

Biophleter:

RESPECTFULLY DEDICATED

TO

BOTH HOUSES OF PARLIAMENT.

MAY, 1813.

TO BE CONTINUED OCCASIONALLY,

AT

AN AVERAGE OF FOUR OR FIVE NUMBERS ANNUALLY.

Omnes pensantur eadem

Scriptores trutinâ.

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CONTENTS OF No. 7.

1. An Appeal to the Protestant Dissenters of Great Britain to unite with their Catholic Brethren for the removal of the Disqualifications by which they are oppressed. *By a Protestant Dissenter.*
 2. A Letter from the REV. MR. WYLDE, to the Clergy of Somersetshire, on the Means of preventing undue Marriages, with Communications on the subject from various dignified Clergymen.
 3. DR. HERBERT MARSH's Sermon on the Bible Society.
 4. ————— Address to the University.
 5. MR. VANSITTART's first Letter to DR. MARSH.
 6. DR. MARSH's Inquiry into the Consequences of neglecting to give the Prayer-Book with the Bible.
 7. MR. VANSITTART's Letter to JOHN COKER, Esq.
 8. MR. VANSITTART's second Letter to DR. MARSH.
 9. Pamphlet on the East India Company's Charter. By DR. MACLEAN.
 10. Objections to creating a Vice Chancellor of England.
 1. Outlines of a Plan of Finance ; proposed to be submitted to Parliament. By the RT. HON. N. VANSITTART.
-

DIRECTIONS TO THE BINDER.

Put the Plate of Pope Pius VII. opposite p. 412.

CONTENTS OF NO. II.

I. Reform of Parliament the Ruin of Parliament, By H. HAWKINS, Esq. 287

II. The BISHOP OF LINCOLN'S Charge to the Clergy of his Diocese 345

III. Dr. H. MARSH'S Answer to the Second Letter of the Rt. Hon. N. Vansittart 467

IV. The REVEREND PETER GANDOLPHY'S Congratulatory Letter to the Reverend Doctor Marsh, on his judicious Inquiry into the Consequences of neglecting to give the Prayer Book with the Bible (with an engraving of Pope Pius VII.) — 413

V. An Account of a Supply of Fish for the Manufacturing Poor; By SIR THOMAS BERNARD, BART. 431

VI. The First Report of the Committee of the Fish Association, respecting the measures to be adopted for increasing the Supply and Use of Fish, in the Metropolis and its neighbourhood 445

VII. An Address to the Protestants of Great Britain and Ireland, by CHARLES BUTLER, Esq. 457

VIII. Anticipation of Marginal Notes, on the Declaration of the British Government of the Ninth of January, 1813, in the American National Intelligencer 487

IX. A Letter to the Right Honorable the Earl of Buckinghamshire, on the subject of an Open Trade to India. By FABIVS 539

X. The Letters of GRACCHUS on the East India Question 575

XI. Letters of PROBUS in answer to GRACCHUS 637

N. B. The important contents of this number will, it is hoped, apologise for any apparent disrespect to the favors of Correspondents. It has been our object in this instance, and it ever will be, to diversify our subjects as much as we can in justice to those already in the course of elucidation.

No. III.

Amongst other Pamphlets, will contain the following.

Several Pamphlets in further illustration of the India Question.

DR. MARSH'S Answer to MR. GANDOLPHY.

MR. GANDOLPHY'S Second Answer to DR. MARSH.

LORD REDESDALE'S Answer to SIR SAMUEL ROMILLY, on the appointment of a Vice Chancellor.

SIR SAMUEL ROMILLY'S Letter to that NOBLE LORD.

Answer to the Charge delivered by the LORD BISHOP OF LINCOLN to the Clergy of that Diocese, by the REV. JOHN CHELWODE EUSTACE.

Further Papers on the American Question.

Further Communications on the Subject of Undue Marriages, in Answer to MR. WYLDE'S Letter to the Clergy of Somersetshire.

&c. &c. &c.

Reform of Parliament,

THE

RUIN OF PARLIAMENT.

BY HENRY HAWKINS, ESQ.

*Et quem tenebat ore dimisit cibum,
Nec quem petebat adeo potuit attingere.*

Phædrus.

NEVER BEFORE PUBLISHED.

VOL. I.

NO. II.

F


INTRODUCTION.

THE following pages are most respectfully submitted to the consideration of the public. Perhaps it may be truly said, that there is scarcely an individual, from one end of the kingdom to the other, who is not interested in the question which has occasioned them;—Whatever may be the imperfections under which they may labor, they have one recommendation—they contain the real sentiments of their author.—The reader, therefore, is not required to admit arguments in favor of an hypothesis, the strength of which the author himself does not feel,—for the author is of no party;—and having no tie of dependence on any one, he is perfectly at liberty to BE LOYAL; and in all honest sincerity to express his attachment to his Sovereign, his love to his country—and his veneration for its laws. Whether any who may peruse his labors, and who may happen to dissent from the principles he may find there, may think proper to answer him, he cannot conjecture; but on this point his

indifference is equal to his ignorance.—He, however, begs leave to say that he shall not conceive himself under any obligation to reply, nor is his silence to be of necessity attributed to his admission of the validity of the arguments brought against him. If the opponents of his Pamphlet argue no better than the friends of the Reform in Parliament have hitherto done, he conceives that there will be no very *pressing urgency* for vindication either of himself or his labors. His motive for obtruding himself on the Public is the very great length to which the clamor for a Reform in Parliament is carried; which, as many have joined in it from whom better things might have been expected, seems to call on every man attached to the constitution to oppose it, in as much as reason shows that it is fraught with incalculable mischiefs.—Some few ideas occurred to him which he had not met with in any work written on the subject; and conceiving that they might have some weight with other minds similar to his own, he has ventured to bring them forward, for the consideration of those who may do him the honor to peruse them,

REFORM OF PARLIAMENT,

. &c. &c.



AT a time when no small portion of the populace of the country have by the insidious arts of the factious been rendered dissatisfied with the constitution, and a clamor is excited from one end of the kingdom to the other, that our houses of Lords and Commons are corrupt, and are no longer to be considered as representing the people; when party, however subdivided as to other topics, enlists under one general banner, for one definite object, **REFORM IN PARLIAMENT**; when public meetings of counties, cities, boroughs, called for the purpose of promoting that object, profess that they discover the source of all our national woes—whether taxes, dearness of provisions, paper currency, or any other evil, real or imaginary, in ‘the corruption of Parliament;’ when such is the state of public feeling,—the question of a reform of Parliament, as understood and intended by its advocates, together with all the train of ideas necessarily connected with it—the motives which give rise to the clamor, and the unavoid-

able consequences of the measure itself; almost involuntarily obtrude themselves on the mind of every man:—and, if he be blest with even the smallest degree of penetration and foresight, can scarcely fail to excite in him some suspicion at least, that more is meant by the abettors of the scheme than they may deem it prudent to avow; and, perhaps, he may be pardoned if, feeling within his breast some spark of love for his native country, and veneration for the laws by which he is protected, he communicates his thoughts and his apprehensions to the public.

That he should be ignorant that a party exists having such an object, and pursuing that object ‘*per fas et nefas*,’ is scarcely to be supposed possible:—for what means of promulgation that ingenuity could devise have been left unemployed?—Not only the public newspapers have dedicated whole columns, to record the eloquence and the patriotism displayed at public meetings held for this purpose;—but lest there should be an individual who might not have an opportunity of inspecting these records, and to whom the triumphs of the day might not be made known,—the very walls of the metropolis have grown white, with the bills posted to commemorate the glorious sentiments expressed, at such a time and at such a place, at a most numerous and independent meeting of the Friends of Reform in Parliament!—

We may suppose that such assemblies were formed of men of different degrees of intellect, and of various tempers and dispositions;—there we might discover the cold-blooded republican who could behold without a sigh, if he did not absolutely wish for, the downfall of the monarchy; the querulous declaimer against ministers and placemen, and the pert flippant yelper who attends and makes a speech, in hopes of seeing his name recorded in the newspapers of the next day.

In many instances, indeed, the orations made on such occasions are remarkable for little more than the low abuse with which they are fraught,—and are therefore more objects of contempt than of serious animadversion. — But, however contemptible their arguments may be—however divested of every thing that can intitle them to attention ; the object of *meeting* is the same ; here the standard of disaffection is reared, and the end, for which all repair to it, is the subversion of the constitution of the country. *

We say, subversion of the constitution of the country. We should be sorry, by any inaccuracy of language, to misrepresent either the motives or the actions of our opponents : we mean not that they are arrayed in open and avowed rebellion against the government ; ‘ lance to lance and horse to horse ; ’ but we certainly wish to be understood as saying, that by spreading discontent among the people by unfair statements and sophistical arguments, their purpose is to overawe the government into the adoption of those measures which would bring with them the subversion of the constitution.

That this is the fact, no one will, we presume, deny. It therefore behoves all those who, by contemplating the feeble constitutions of other states, have learned to prize our own ; before they suffer themselves to be deluded by that most dangerous of all engines of mischief popular clamor ; in the first place to consider well the grievances complained of, whether they have any real existence or not ; and, afterwards, if they should believe that such grievances do really exist, to weigh, in the scales of unsophisticated reason, the probability of redress, by the means proposed by the Reformers.

If it be contended that the acrimonious language poured forth at the public meetings above alluded to, does not always proceed from the rancour of the heart : if we are told

that such is the usual mode of debate ^{on} such occasions ; that every orator who delivers his sentiments on any topic before a popular assembly is under the necessity of rousing the feelings rather than of convincing the understandings of his hearers ; this declaration, even from the friends of reform, will not allay our suspicions ; and it may perhaps be fair to answer, that this is no extenuation of the offence, because it is no diminution of the evil sustained. By such methods, or rather artifices, those who, from want of education or of information, are unable to form an accurate opinion on the subject proposed, are taught to be dissatisfied with their rulers, though they scarcely know why ; and are required to place their confidence in those who, intrinsically, have not a grain more of integrity or of regard for them than those whom they defame and calumniate.

To enforce their doctrines, nothing that can operate on the passions or prejudices of the vulgar is left untried ; in debate, no rules of decency are preserved ; no language is too opprobrious : those who presume to differ from *them* are treated with insult and derision ; no one is to be heard who does not echo the bellowings of faction and discontent. Thus, the liberty which they assume to themselves, they deny to others ; and while they loudly declaim against oppression, are themselves the most intolerant of tyrants.

Quis tulerit Gracchos de seditione querentes ?

It is not then out of deference to the solidity of argument which these reasoners possess, if we may infer what they possess, by that which they have as yet brought forward, that we are induced to submit these pages to the public. It is not to rouse the cautious, or to inform the experienced, that we write : to those, to the real friends of their country, in opposition to the hypocritical patriot, we boldly make our appeal ; and look to them to confirm, by their honest

and independent sanction, the truth of every assertion we advance. It is because all are not cautious; all are not experienced; all have not learned, perhaps from an openness and ingenuousness of character natural to an Englishman, to distinguish between the real and the feigned; all have not learned that the patriotic Baronet and the gallant Admiral will advance doctrines which, if carried into effect, would render the estate of the one, and the rank of the other, a mere nullity; would render them of as little value as the parchment or the paper on which the instrument of possession of the one, or the commission of the other, was written. It is to these that we sound the alarm; and gladly join our voice to those who, with more skill, call on every Englishman to stop his ears against the declamations of political fanatics; for we conceive it to be a moral duty, not to risk that any should be made proselytes to reform, when, by stating plain facts, they may be preserved among the FAITHFUL SUPPORTERS OF THE CONSTITUTION.

Thus much we have said before we enter upon the examination of the question of reform as a measure of policy. To this mode we were compelled by the kind of adversaries with whom we had to contend, who, having unfortunately omitted to prove their right to be heard as honest men, before they claimed our confidence as politicians, have left us at full liberty to form our own opinions of the integrity of their motives; and we confess, and our opinion is formed from a review of their conduct, that we scarcely know of which we think worse; the integrity of their motives, or the wisdom of their measures. Having assured the reader of our perfect sincerity on this head, we proceed.

The grand question in debate is this; It is alleged that the lower House of Parliament is corrupt; this is the root of all our political misfortunes; and that a reform in this branch of the legislature is absolutely necessary to save us

from ruin. Of course, the political mountebanks of the day assure us that this measure, if adopted, is to operate as a Panacea, and to cure all our grievances!!! With a reform in Parliament, say they, ministers will not dare to be corrupt; for placemen and pensioners will no longer be permitted to sit in the House of Commons. The people will then be *fairly* represented, and not till then. Such will be the 'immaculate House of Commons, as planned by our reformers! To accomplish this glorious design the more effectually, the right of voting will be extended so that numbers will then enjoy that right, whom the wisdom of our ancestors, not the casual operation of secondary causes, thought fit to exclude from it.' And hence we are, in effect, taught to expect times little inferior in point of virtue and in the bliss diffused around on all, to those which the language of poetry has denominated 'the golden age.' This is to bring in, as an honorable member assured the House of Commons, 'the good old times;' though he did not, for the benefit of the country gentlemen, inform his auditory what specific period was more particularly to be defined 'the good old times!' Did the honorable gentleman mean 'the good old times' when the nation was torn to pieces with the disputes between the houses of York and Lancaster? or the subsequent 'good old times' when the nation was engaged in the struggle for the reformation? or, still later, during the *prosperous* reign of the house of Stuart? or the glorious period of William and the earlier days of the establishment of the House of Brunswick on the throne, when the parties of Whig and Tory—

* There is hardly a free agent to be found, but what is entitled to a vote in some place or other in the kingdom.— *Blackstone's Com.* vol. i. p. 172.

It may be proper to inform the reader, that wherever Blackstone's *Commentaries* are quoted, we mean the quarto edition of 1766.

High Church and Low Church, spread jealousy and dissension into the inmost recesses of our domestic comforts? If we are told that we are to have 'the good old times' again, we should like to know when and what they were; that we may know what to expect, and not be taken by surprise, even in our happiness.

'For sudden joys, like griefs, confound at first.'

For ourselves, we are inclined to be sceptics—we do not know that any particular period of our history has been less corrupt than another, provided it had the same means of corruption—in some instances, indeed, the depravity which would have manifested itself in corruption *at home*, has been suspended for a while by some new object—some new pursuit *abroad*; which, offering a new gratification, has withdrawn the mind from every *other* consideration—till, satiated with this, it has returned to its former habits and propensities:—yet in all this we recognise no virtuous effort—no eschewing of evil—no seeking of good! As to natural feeling—the mass of the people of all nations have ever been the same; and there seems little doubt, as far as the human mind has hitherto developed itself, that what the historians of antiquity have written of the populace of Athens and of Rome would equally apply, at the present day, to the populace of Great Britain, if placed in their situation.

To return to our subject, we will define as closely as possible, that the defect alleged is in our Representation—for the loudest of the loud does not presume to say that *practically* the House of Commons is corrupt—they do not deny that, during the Session of Parliament, the members, at the expense of the nearest and dearest comforts of life—at the expense of food and sleep, sedulously attend their

public duty—consuming frequently, on great and important occasions, whole nights—till the broad day-light of the ensuing morning breaks in upon the house while sitting in deep debate, whether it be wise or unwise—whether it promote the interests of the people or the contrary, that such and such a Bill pass into a law. Neither do they deny that an individual, or an aggregate body, if aggrieved, may present his petition; provided it be couched in respectful terms, and be heard, through the medium of learned and able counsel, chosen by himself, against any pending Bill, and have suitable redress, either by impeding the further progress of the Bill complained of,—or by a compensation for any injury sustained by it;—this, indeed, they do not deny;—and who would believe them, if they did? neither do they deny that the laws from time to time made, founded on the necessities of the people and the advantage and honor of the state, generally produce that effect.—To prove this, let any man recollect the immense number of laws which are made in every Session; let him reflect what a mass of intellect is concentrated in deciding on every measure brought forward, and then let him consider in how few instances, when the effect of the law is ascertained by experience, are applications made to Parliament to rescind the laws so warily, so cautiously, made.—In this observation, however, it is obvious that we must omit such laws as, at the time of their being made, were understood, from their own nature, to be merely temporary; those, for instance, which permit or prohibit the importation or exportation of grain &c. &c.; for the rescinding of these being in the contemplation of the legislature at the time when they were made, they could not be expected to remain longer in force than the emergency lasted which occasioned them, and consequently the repeal of them is no argument of want of discretion or integrity in the legislature.

In our criminal code, the laws which the general depravity of manners 'amongst the people call for, may, from time to time, require alteration—but these alterations are generally either for the purpose of defining more accurately the offence rendered penal by them, or of aggravating or extenuating the punishment, according as existing circumstances may render expedient; the mind of man being more astute in devising crimes or evading punishments, than the legislature can be in preventing the crime or rendering the punishment certain.—But in all these cases, the principle on which Parliament acts, is the promotion of public good, by preserving the life—the liberty—the property, of all who live in the obedience, and consequently have a right to the protection, of the laws:—by restraining vice—by giving encouragement, as far as is possible, to the well-deserving—and punishing, with as lenient a hand as public security permits, those who offend against them;—extending a shield over the unfortunate—the fatherless—the widow—and pleading the cause of those who have no one to defend them against the oppressor.—And in this anxious care and solicitude, will any one be hardly enough to deny that this country stands conspicuous—not only without a rival; but almost without an imitator? . . .

Practically therefore, as far as the House of Commons is recognised by its influence on civil society, it is not corrupt in its motives; it is not corrupt in its operations: It is felt by all as an instrument of good to all: from that, as from a common source, is diffused a security for every external blessing which Providence vouchsafes to grant us; and were the new-fangled doctrines of Reform to become prevalent; it would be difficult to persuade the rational part of the community that that security would not be weakened, if not totally annihilated.

But all these blessings seem to be as nothing, in the eyes

of the advocates for Reform. At least we may so conjecture from their willingness to bring them into jeopardy; when, from the natural tendency of their doctrines, the loss of these blessings is rather to be looked for than the gaining any new advantage; unless we are to suppose, that while every loyal subject gratefully acknowledges the existence of those blessings, the advocates for Reform remain insensible of them: they tell us, indeed, that we are ruined, and that *they* only can save us; they tell us that our *Representation* is *faulty*, because all are not permitted to vote who ought to be permitted; that the *elective franchise* is unjustly *narrowed*; that *septennial Parliaments* must necessarily be *corrupt*. Let your Parliaments, they cry, sit but for three years instead of seven, and you put an end to corruption. By the more frequent recurrence of elections, when every member must look for the approbation of his constituents as the ground of his hope for a second election, you would destroy the influence of the minister; and thus the people would be *honestly* represented. Such is the grievance and such the remedy!! Which being reduced to plain matter of fact, divested of the jargon of political enthusiasts, means no more than this; that they would have the scenes of riot and debauchery, the never-failing concomitants of a popular election, recur every three years, instead of every seven; and that as at present the *people* are admitted to vote, they would open the door to the *nob* also.

That Parliament is not *practically* corrupt, we have already proved; for we presume that if laws are framed with an anxious wish to promote the good of those on whom they were intended to operate; and the legislature is not called upon by the voice of the people to rescind those laws, they having a right so to do, if aggrieved by them, we are justified in assuming that those laws are good and equitable, and are *admitted* to be so. Any advantage, there-

fore, to be derived from a change in the mode of representation, or in the duration of Parliaments, is little more than nominal. But as we have already proved that Parliament is not *practically* corrupt, we now hope to be able to prove that the Reform proposed would not remedy any of the evils under which *we are assured* that we labor; though the existence of those evils, we feel much inclined to doubt. On the contrary, we contend that mischiefs without number would infallibly arise from the change; and this, in every step that could be taken towards accomplishing it; for unless we are to be gravely told, that the arbitrary power which was denied to the Stuarts is to be allowed to the factious leaders of the mob;—unless we are to be told that the fundamental, the eternal, principles of justice which sovereigns and senates are called upon to revere, and to make the rule of their conduct, are, when it may be convenient to the Reformers of Parliament that it should be so, a dead letter; unless this be permitted, the scheme proposed is not more to be decried for its impolicy than for its iniquity; and of this iniquity the people would be the first victims, and those who had deluded them would be the only persons to receive benefit from it, as we hope we shall be able to prove.

Let us then depict a *pure* House of Commons, purified from all its dross, under the new arrangement; and in order to do this, we must consider, what description of persons would then be the voters to choose; for I have before stated that part of this new arrangement was to extend the right of voting so as to include those of a lower rank in society than are now admitted: the voters would then be not merely the opulent, or those who have what we frequently hear denominated ‘a stake in the hedge,’ but amongst them would be found the lowest of the rabble;’ the purchasers of

¹ It is needless to remind the reader that this was practised some few years since at the Middlesex election.

half-crown freeholds; men who, by means of perjury, procured an admission of votes for freeholds thus purchased; the mechanic, the handicraftsman, and these of the lowest description; who, not choosing to attend to his occupation at the time of an election, preferred the idleness and drunkenness inseparable from it to the honest industry by which his wife and family were to be kept from want; the rabble, perhaps not sober at the moment of giving their suffrage; and exhibiting in their general deportment the most disgusting scenes of profligacy and wickedness; the rabble—the sturdy beggar; the VAGABOND! doubtless, competent judges of the merits of a candidate to represent a county or borough in the senate of the nation! And a most worthy and enlightened Parliament we could not but have, when chosen by such voters!!! Were we not witnesses of it, could it be believed that men of rank; the patrician, the Right Honorable; could be so far infatuated as to become the advocates for such politics! Unless, indeed, we are to estimate our security by the very vehemence of their language; and are at liberty to suppose that, from an instinctive care for themselves, they would not venture to speak or act as they do, were it not that they rely on Government opposing them; and consequently that neither their actions nor their speeches will really produce that effect at which they ostensibly aim: but who, if they saw in the Government the least tendency to adopt their sentiments, would, from an instinctive sense of self-preservation, themselves be the first to sound the trumpet of alarm, and to give notice of the impending danger. In this case, the efforts of the party must be considered but as a party-trick, as a mere ‘*ruse de guerre*,’ and we cannot but pity the people who could suffer themselves to be duped by men capable of having recourse to so disingenuous an artifice.

What sort of a Parliament would be chosen by such voters, no one can be at a loss to conjecture.. One of the wisest and most enlightened men that civilised Europe has ever seen, tells us, that the common people are unable to appreciate great qualities; and the observation is confirmed by the testimony of both ancient and modern history; for, with all the reverence which some may profess for the opinions of 'The People,' most true it is, that a candidate might have all the integrity of Phocion, the philosophy of Socrates, the military talents of Pericles, and the virtues of Scipio; and yet, if unfortunately, he could not harangue the people in their own rhetoric, he would not stand the smallest chance of success, should he offer himself as a candidate to represent them in Parliament.

The recommendations which he might possess; by which we understand those valuable—those indispensable qualities, without which he would never be able to judge of the real interests of a vast empire,—the populace would be no more able to comprehend than they would the calculations of Newton or the reasoning of Locke. If they are to judge, they will judge according to their own narrow conceptions and gross apprehensions, from that which is *with them* the criterion of fitness; which generally amounts to a dissatisfaction with the existing order of things, and a certain degree of volubility of speech exerted in abusing their governors;—farther than this they cannot proceed, because farther than this they cannot comprehend.

How can we reason, but from what we know? And what has ever been the consequence? The people, when left to themselves, have always been the dupes of the artful and the designing; of men, who, knowing how to cajole a mob, have prevailed on a rude set of untutored bumpkins to take that as sterling patriotism, or as matter

¹ Lord Bacon, Essay on Praise.

of fact, which was merely assumed in compliance with their prejudices.

In what we have here stated, we merely relate the case as *it now* stands; the reform proposed would enhance the evil a thousand-fold. More now are intitled to vote than can make a reasonable choice; and, owing to the diffusion of wealth throughout the country, and the decrease in the value of money, many voters are persons of lower rank than perhaps were in the contemplation of the legislature, at the time when the qualification was settled.

For this assertion we have the authority of Sir William Blackstone, who, speaking of the qualification for a voter, says, "Bishop Fleetwood, in his *Chronicon Preciosum*, written about sixty years since, has fully proved forty shillings in the reign of Henry the Sixth to have been equal to twelve pounds per annum in the reign of Queen Anne; and, as the value of money is very considerably lowered since the Bishop wrote, I think we may fairly conclude from this and other circumstances, that what was equivalent to twelve pounds in his days is equivalent to twenty in ours."

Concerning the expediency of establishing a qualification, the same author says: "The true reason of requiring any qualification, with regard to property, in voters, is to exclude such persons as are in so mean a situation that they are esteemed to have no will of their own. If these persons had votes, they would be tempted to dispose of them under some undue influence or other." This would give a

* If we are told that in the passage quoted above, the author has passed a decided censure on that *influence* which is stated to exist, and which in another part of this volume we have contended is beneficial; we do not conceive our arguments at all weakened by allowing to Sir W. Blackstone's statement all the credit due to it. He, speaking strictly as a lawyer, could not defend any influence at all detracting

great, an artful, or a wealthy man, a larger share in elections than is consistent with general liberty. If it were probable that every man would give his vote freely and without influence of any kind, then, upon the true theory and genuine principles of liberty, every member of the community, however poor, should have a vote in electing those delegates to whose charge is committed the disposal of his property, his liberty, and his life. But, since that can hardly be expected in persons of indigent fortunes, or such as are under the immediate dominion of others, all

from that unbiassed suffrage, which the letter of the law requires that the voter should give; but Sir W. Blackstone, and every man besides, might know, that whatever he might say, or Parliament might enact, theoretically, it never could, while human nature continued as it is, be carried into practice. Nevertheless, it is wise to have laws founded on that theory, as they put it into the power either of Parliament, or of our courts of law, to check that influence when carried beyond due bounds - statutes exist to prohibit the people from doing certain acts apparently innocent in themselves; but, because they have been injurious, the law is permitted to continue in force, ready, if the same injury arises again, to be put in execution. In the same manner laws to prevent influence exist, in order that if the evil is carried to an undue extent, it may be prevented.

Before we conclude this note, we will beg leave to state our difficulties in defining what would strictly and logically be called an unbiassed vote; for, according to the literal meaning of the phrase, if a son voted for his father, or a father for his son, this not being a parliamentary ground of approbation, the vote given is as much biassed as if the voter had received money. And thus it may be said with every preference, every predilection that we feel; and if that preference, and that predilection be founded on any other grounds than those which refer to a member's conduct in Parliament, it is as likely to prompt us to vote for an unworthy object as if we had received a pecuniary inducement; and would as effectually destroy the purity of Parliament. If none but a parliamentary ground of preference is to be allowed, no *new* member could be chosen; for, however valuable he might be in his private capacity as a gentleman, who could conjecture what kind of a member he would make.

popular states have been obliged to establish certain qualifications, whereby some, who are suspected to have no will of their own, are excluded from voting, in order to set other individuals, whose wills may be supposed independent, more thoroughly upon a level with each other."

But it requires no elaborate disquisition to prove that in the increased power and number of the rabble-voters, those of the higher orders of society, men of refined understanding, and decorous deportment, would ' be overwhelmed in the unbridled vehemence of popular fury ; and no man would gain even a hearing, but he who would be weak enough, or corrupt enough, to abet the preposterous wishes of the mob.

We have said that the people have, when left to themselves, generally, if not always, been the dupes of artful men. In order to prove our assertion, let us advert to those who have obtained a seat in Parliament by the means above alluded to : let us contemplate those who have been *the choice of the people*, when placed in the situation of senators : have they been the active, the vigorous, the enlightened benefactors to society ? in general, if not universally, they will be found to have been totally useless ; devoid of the talent, the wisdom, the experience, the cool dispassionate investigation, necessary to devise any measure for the good of the state ; and no otherwise known to have been members of Parliament, than by occasionally, if not always, thwarting that which they could not make better, and calumniating those who, called to direct the councils of the nation, are doomed, by the licence which the constitution allows, to endure the revilings of envy and the misre-

¹ Here again we allude to what happened at the Middlesex election above alluded to. We prefer giving matter of fact, to forming hypotheses.

presentations of malevolence. From that which has been the case hitherto, we may fairly infer what the future would be, only increased beyond all calculation, by the scheme proposed.

Thus would our lower house be filled with those who of all descriptions of men are the least useful, the popular declaimers ; the dulness of many may perhaps be accompanied with something that may have its use ; it may bring forward information on particular subjects, where nothing more is required than plain matter of fact, which brighter minds may refine into something luminous. But in the talents which succeed with the rude mob, what was ever found worth the bringing forward into notice ? What connexion have they with the grand machine of the government of a great empire ? They may indeed be serviceable to palliate iniquity or incapacity ; and in this view they must be looked upon as most hostile to the interests of the people : but the factious are not very solicitous how much mischief happens, provided it be of their own making, though it sometimes happens in the event that they are the victims of it ; the judges might decide contrary to the laws, and trample every legal principle under foot with impunity, provided all this were done subserviently to popular ferment ; and Jeffries himself might have been canonized in the calendar of patriots, had he wrested the law to oppose the King, instead of making it the instrument of the abuse of royal power.

To bring about this reform, to procure such a House of Commons as that which we contend ours would be, when chosen by a set of rabble-voters, extraordinary means must be employed ; we say extraordinary ; for our ancestors, having no sinister purposes to answer, provided all due means for procuring a fair representation of all who in sound policy had a right to be represented ; established

rights and privileges must no longer be of any avail ; these must be annihilated.

Sic volo, sic jubeo, stat pro ratione voluntas.

Prescriptions, sanctioned by regular grants, and acquiesced in for centuries, melt away ; the text, that we are not to do wrong, that good may come of it, rests upon high authority ; but our reformers make so little account of it, that they are desirous of doing an evil, where all the good that is to come of it is problematical, however certain the evil may be. They therefore have no objection to disfranchising ancient boroughs, on the ground that the population of these boroughs is not so great as it was formerly.¹ It is, in our opinion, no excuse to say that the inhabitants of such boroughs shall have, as a compensation, a vote for the county in which the borough is situated, for perhaps, as the *matter stands at present*, they may have a vote for the county :—but if they have not, the giving them a vote for a county makes a man one voter among ten thousand ; whereas in his vote for the borough he might be one of five hundred, or of fifty, or even of five : for instance ; the borough of Old Sarum is almost deserted, and some few others are nearly in the same state.—‘ Why should such places as these send members to Parliament,’ cry our reformers.—‘ Let them be disfranchised : no matter for the *right*.’ That is of no importance with them, good patriotic souls ! But we, who candidly profess ourselves of the old school, may perhaps be excused if we declare ourselves not quite satisfied with this logic, and beg leave to suggest that, according to this mode of reasoning, there is not a charter, a right, a prescription, from one end of the kingdom to the other, that is safe.—It would not be merely the borough

¹ Lord Bacon mentions, as one of the causes of sedition, the breaking of privileges.—See Essay on Seditions and Troubles.

of old Sarum that would be attacked, and consequently it is not merely the borough of Old Sarum that we defend. It is a *principle* that we contend for, the borough alluded to may perhaps not have above half a dozen inhabitants left in it; the right is binding; great and little, many and few, are relative terms. And if the sophistry of the new school were to be adopted, wherever it can be shown that *any* alteration has taken place *in any* thing sanctioned by a charter, we may be told that the charter is become void, if it suit the views of the reformers that it should be so. What would be the outcry, if any of the courts of Westminster Hall were to lay down such doctrines, we may, without any apprehension as to the result, leave to every man to decide.

But we will suppose that the Reformers prevail; all elections are popular, or, in other words, solely decided by the voice of the people; without any interference from government or from the aristocracy. We have shown that the men who will now obtain seats must have the faculty of addressing the mob in their own way; and would be expected to be loud in abusing all those who happen to be in power; and in this respect it is taken for granted they do not disappoint the expectations of the electors, and we may likewise presume that they would not fail to show to the satisfaction of their masters the electors, that nothing is necessary to the correcting all abuses, but the choosing them, and such as them, for their members; accompanying their declarations with all possible assurances that they will anxiously watch over all the corruptions of government, and preserve inviolate the dignity and independence of the Borough of *****.

The artifice succeeds, the candidate is chosen: the chances are infinitely greater that the candidate, now the new member, will take his seat very quietly, and give himself no further trouble about his florid speech and his fair promises from the hustings; and all this *must* be the case, if he be such a man as the people, when left to themselves, generally -

choose, because he has not any talents or faculties applicable to the business before him. But what is done by this? What is achieved? The effect will be this, that men of education, men of literary habits, men who are an honor to their age and country, will necessarily be excluded from a seat in the lower House of Parliament: for if they possess these recommendations, they probably, if not certainly, do not possess the faculty of haranguing a rabble: and if they possess that dignity of mind which cultivated intellect never fails to confer, they will disdain the paltry arts of ingratiating themselves with those, whose good opinion, not being founded on any basis either of integrity or intellect, they will wisely consider as beneath their regard.

Sume æperbiam
Quæsitam meritis.

And thus, the best, the most honest, the most efficient individuals that the state can produce, will be excluded from those situations, where they could render the most service to the public. Let us conceive, for a moment, a man of the character here described; let us suppose him willing to offer himself to represent some place in Parliament; but, before he begins his canvass, he is given to understand that he must exhibit on the hustings of a country town the talents above stated, talents, perhaps, it may be said, better adapted to a mountebank than to a gentleman and a man of family.—Let us conceive the Clarendons, the Somerses and the Falklands of the day in this situation, and that even *they* must adopt the course here pointed out, or forgo their claim, and retire. Or, to make the case still more our own, by instancing names more familiar; let us consider the venerable president of the Court of Admiralty, of the present day, a man in all good learning ‘ORNATISSIMUS;’ or the late Right Honorable William Pitt; or the heroes of the Peninsula,

reduced to the alternative above alluded to; is there a GENTLEMAN but would feel disgust at the disgraceful conditions imposed on such men, or would any man of sane intellects pretend to maintain, that it would not be a public calamity that such men should be excluded from the House of Commons, because, forsooth, they could not please a body of such electors? For, as we have stated above, the necessary consequences of this plan of Reform would be, that by increasing the number of the voters, which is to be brought about by lowering the qualification necessary to constitute a voter, our reformers would eventually exclude the characters above alluded to, from the power of offering themselves: and this as effectually, as if they were precluded by a positive vote from sitting in the House of Commons. And thus we might have again a *Parliamentum indoctorum*, the evil of which was so forcibly felt in the single instance which we read of, that it was never permitted to recur again: a sufficient reason, it is humbly conceived, for not making another experiment of the effects of it.

But, as it is absolutely necessary for the public good, the only criterion in a public question, that the worthy characters that we have just mentioned should be found in every Parliament; so, in addition to the right which such places as Old Sarum, &c. claim, (a right which no wise man will ever wish to see violated by the existence of such boroughs, as are out of the reach of the popular grasp;) it is plain that an accommodation arises to the community, as they open a door to men of retired habits of life and thinking, by which they can, without the harassing inconveniences of a canvass, become members; in which situation they may bring forward more wisdom and knowledge for the public good, than almost any other description of members may have had an opportunity of acquiring. And

in this part of the scheme of the Reformers, we discover the same spirit of sacrificing the public to their own private ends, that we have already traced in many other instances. But, though they may not choose to confess it, it is obvious that they feel the weight, the power, the influence that such men possess, as guardians of the state ; and consequently would gladly remove them out of their way. And if their purpose be what few can doubt ; the overthrow of the laws of the land, we can scarcely blame them ; their antipathy is natural ; and, in proportion as the veneration of the wise and good attends such men, will that antipathy increase.

We have already said that the choice of the people, when left to themselves, but rarely, if ever, falls on such men as can be of service in promoting the interests of the empire. We may add that, however such men may have affected to be the friends of the people, they have generally sought only their own private interests. We will suppose one of this description becomes the minister of the day, raised to that ' painful pre-eminence' by the voice of the people, who have made the welkin ring with acclamation that at last their wishes were gratified ; their prayers were heard ; their idol is raised ; the man of the people is minister. The people will now *enjoy* that which before they could only contemplate as a phantom, Liberty ; for corruption is now no more !!! What are his measures ? Are the rights of the people and the grievances under which he has *repeatedly told them that* they groan, the peculiar objects of his care ? No : as soon as he is warm in his seat, and the gazette has announced that his friends and partizans are all placed in battle array to support him ;—he brings in a bill,¹

¹ A Bill for the regulation of the affairs of India. We speak from fact.

the obvious effect of which is to invest the House of Commons, which House of Commons he could always by means of this bill contrive to have in his interest, with such powers and patronage as would enable him to set at defiance the Crown, the House of Lords, the people and every recognised power in the state.—So much for the leaders of the people; the men of the people, the enemies of corruption, the virtuous patriots.

Quantum mutatus ab illo .

Hectore!

And now what is the consequence? that which reason points out would be the consequence; the people, his former friends, and among them many persons of real worth, who, in an evil hour, had given the patriot credit for honesty, indignant that they had been duped by an impostor, desert him. He is driven from the helm, and retires, amidst the hoots and hisses of all, to disgrace brought on him by himself; a disgrace which all his subsequent pains and exertions were never able entirely to do away.

If thou beest he—but O how fall'n how chang'd
From him who, in the happy realms of light,
Cloth'd with transcendent brightness, didst outshine
Myriads though bright!

We adduce not this as *a single* instance; the infirmity is epidemical among that class of men who *call themselves* the men of the people! If this be any extenuation of the apostasy, the manes of the patriot are welcome to it.

It requires no great sagacity to foresee what would be the proceedings of a Parliament chosen by such voters and formed of such members as have been described; a Parliament from which learning and talent for business would be excluded; from which every man who held an

office in the state, would, because all such would be considered as under influence, be deemed unfit to have the confidence of the people. If the measures of government were attacked, and attacked they certainly would be, without any reference to merit or demerit, who would be there to defend them? who would be present to answer any charge?—a solitary Chancellor of the Exchequer,—or, perhaps, he might be permitted to be aided by a few,—half a score at the most of his colleagues, who would be doomed to endure the storm of popular frenzy; and to abide the tumultuous decision of those, who were wholly unable to judge of the merits of the case before them; to judge what was fittest, or even what was practicable! With such a tribunal, what man could ever expect justice, and without that security, what man would be rash enough to accept an office? Or would any one say that the affairs of the nation can be conducted on such plain and obvious principles as the generality of mankind can comprehend? Were the experiment but attempted to be made, the united empire would soon feel its inability to contend against even the meanest potentate that might draw his sword against her. Or where is the man who would or could, whatever might be the powers of his understanding, accept an office, on the terms of popular favor only?—*arbitrio popularis auri*.—Many measures will a minister be compelled to adopt, that may, to the indiscriminating observer, have an ungracious aspect; but which, when thoroughly understood, may be found highly advantageous to the community, or, if not productive of positive advantage, may be defended on the ground of necessity;—yet of this advantage or of this necessity, very few have it in their power to form an accurate judgment; and pride and prejudice may influence the decisions of those who may not be precluded by ignorance. To comprehend the expediency of measures may

require intimate knowledge of the intentions of other states or of the resources of our own; its funds, its population, its manufactures, its virtues, and its vices; and what is of no less importance, the state of popular feeling.

We do not give this as a new axiom in politics. The authority of antiquity might be quoted to support it. Nothing is more easy than to censure any measure, that the wisest minister ever planned; the difficulty is to devise those measures that may be least objectionable; and in proportion, as the number of objects which demand the attention is increased; so much greater must that difficulty be.

But we are told that there exists an influence from without, which destroys the independence of the House of Commons, and which the Reform proposed could do away; the influence of peers and opulent men, exerted in procuring the election of persons whom they wish to provide for or promote, or where some interest of their own is concerned. Yet even here we do not feel the trepidations of our opponents. In this interference, we as frequently see the person so put in, enlist under the banners of the popular party, as under those of the government; the inclinations of the peer who procured such persons to be elected, generally determining which side the member thus returned shall take; in which cases it frequently happens that the *people gain* one more advocate; so that what is lost by influence in one instance, is compensated by what is gained in another, and thus no injury is sustained. And to the honor of our nobility and great men be it stated, it has frequently happened that the nation has been indebted for some of the wisest¹ and best men that ever held a seat in its councils, to this, I will venture to say, salutary influ-

¹ The late Mr. Pitt sat for Appleby, by the assistance of a Peer of the realm.

ence, which affords another mode of admission into Parliament for those who might be excluded by popular prejudice, or by the want of what we must call borough-connexions.

To our opponents it may be as music to the ears of the deaf, to say that the influence thus exerted has been proved by many sagacious politicians to be the necessary result of the connexion between landlord and tenant, or to be referable to the sway that wealth and elevated rank will ever bear in a country, where the grand energies by which the inhabitants grow opulent are permitted to act in all their vigor. We therefore deny that it is an evil ; it is one of the links by which society is kept together ; it is almost referable to necessity, and might almost be predicted as what would take place in a country, the constitution of which resembled that of England.

This interference, therefore, stands proved, as we conceive, to be unavoidable, and even to be productive, in many instances, of good ; to be founded in the nature of wealth and prosperity ; and not to be removed, if it were possible that it should be removed, without essentially injuring the vital interests of the kingdom : and of the injury thus sustained, any reasonable man may be convinced, who reflects on the benefits arising from whatever forms a connection between the different ranks and classes of society.

But a more glaring evil still remains to be considered ; more glaring, as appearing to militate against the law of the land more strongly than any of those as yet enumerated ! We mean what is asserted by some, that seats are subjects of bargain and sale ; and that this traffic is so openly carried on, that no one can doubt it. Admitting, for argument sake, that the fact is so, without asserting it, or making ourselves responsible for the accuracy of the assertion, we wish fairly to consider the quantum of moral

or physical evil contained in the custom, or the inconvenience arising from it, and perhaps, if we do not admit clamor for argument, or rage for reason, the evil, or the inconvenience, will be found much less than was at first imagined. From the experience we have had, the members who have come into Parliament by this method have been in general as independent and as well informed; have been as zealous in the discharge of their Parliamentary duties as any other description of members: the public, therefore, have been no *sufferers* by the practice. In most instances, they have been gentlemen desirous of coming forward in business, of employing their talents in a way from which they found themselves excluded, except by the means now made use of. Not unfrequently have such members taken the popular side in debates. And what can the most suspicious apprehend, even supposing the practice grossly irregular? Does any one imagine that our lives are so weakly defended, or our liberties so ill defined, or so feebly established by the wisdom and courage of our ancestors, that it would be in the power of a score or two of gentlemen who *had purchased* seats in the House of Commons, to deprive us of the one or the other? Who has ever been deprived by members of this description, of any of his comforts? This practice, like that which we have already had occasion to notice, may be perhaps one of the concomitants of the great wealth of the nation; of wealth, bringing with it ten thousand blessings to those, who are contented to enjoy the good which Providence has bestowed upon them, without seeking to attain unattainable perfection, either from the want of duly appreciating what they themselves possess, or to destroy the happiness of others from a spirit of envy or malevolence, of ambition or avarice.

Thanks to the wisdom of our forefathers, under the

blessing of that Providence, the constitution of this country has been so well matured and digested; the several parts of it are formed so exactly to support and correct each other, that it is not in the power of any one of the branches of the legislature to destroy either of the others. The power which each independently possesses, always enables it to preserve itself, and to give its weight and influence to support either of the others when in danger. Of this, History furnishes instances without number; the Lords have rallied round the throne, when the throne has been endangered from the inroads of the Commons; the Commons have done the same, when the danger was apprehended from the Lords; and when the crown was conceived to have overstepped the boundaries established by the law, the two houses of Parliament have undauntedly and effectually united their powers to provide the remedy.

We flatter ourselves that we have produced arguments against the Reform of Parliament proposed, which our readers will admit to be of force. We have shown that by extending the right of voting, we constitute a number of voters still less competent to judge of the merits of a candidate than the major part of the people show themselves to be, even as the law stands at present:—that therefore we may reasonably expect that those, who would be returned to Parliament by such voters, would be neither wise nor virtuous; that the evils complained of in our Representation in no instance produce any practical inconvenience; but on the contrary solid and substantial good, by affording means for able men to come into Parliament, who otherwise would be precluded. We have shown that it is necessary for the purposes of justice, that the officers of government should be eligible, in order that the merits of public men should be investigated with more candor; that those men who have risen to great political eminence

by flattery the people, have, when in power, shown themselves devoid of consistency, we had almost said a common probity; and the first to violate those principles by the profession of which they became powerful. If we are correct in our hypothesis, we do not conceive that the arguments of our opponents, whenever they may think proper to bring them forward, can be very numerous or very conclusive, and may hope that a moderate portion of intellect, joined to no great quantity of common honesty, will enable the larger half of the community to discover how vain are the pretensions of those, who seek to delude them; and dispose them to rest contented, untroubled with the spirit of innovation, and thankful that in the general wreck of kingdoms and states which the continent of Europe at this time exhibits—their lot is fallen on a good ground, where every man may worship God in the way he prefers, and lie down at night on his bed in peace and charity with his neighbour.

It may not be totally inapplicable to our present subject to consider what is required by our Reformers, exclusive of an innovation, for as Parliamentary innovation is a new thing in this country, it may be prudent to consider what has been *done* by former innovators, and what the consequence. For we read in history, that the rulers of the people, being determined on a thorough Reformation!

when Hypocrisy and Nonsense
Had got the avowal of their conscience,

made great innovations in the established order, and, more especially in the two Houses of Commons, the people at last found that, whatever they had *gained* nothing; their rulers, indeed, with whose requisitions they had made

had been benefited ; they had secured to themselves something to gratify their avarice or their ambition, but it was at the people's expense ; who then discovered by lamentable experience, that acquiescence in one demand, did not enable their factious rulers to insist with more vehemence on a second ; and were we now to permit the advocates for Reform to become the rulers of the people, there is no doubt that the same effects would be produced by *their* systems, as were produced by those of their predecessors in the reign of Charles the first. We see but little difference between the spirit of 1640, and that of 1813, and should wish to have a satisfactory answer, whether, were the demands of the Reformers to be acquiesced in, they would even then be quiet ? or would not such acquiescence rather be made the ground of a second demand ? would they rest contented with *reforming* ? would they stop short of ANARCHY ? are the lower orders of the people in general moderate in their demands that they may be trusted to that generosity, however lavish or ill-timed, on the part of the legislature, would not produce insolent importunity heirs ? for unless this be ascertained, until it be shown the rabble would learn moderation by success, until it be known that the madness of the people was in any way restrained by their becoming masters, it seems little worth trusting a sword in the hands of a maniac, to do with their present demands.

Does experience of ages nothing ? is every emergency, every feature of the times, to be considered as a new experiment ? what were the factions of Rome and Athens, if they had gained the ascendancy ? If schools and universities, if students are expected to read, and to converse with the historians of antiquity, for example, let us at least take the practical benefit of becoming acquainted with their precepts ; let us not run into dangers, of which

they would warn us; and perhaps, teach us how to avoid:
let us make them really the

KTITHIA 'EX 'AEL

If we cannot improve that which our ancestors have done for us,—at least let us not injure the mighty fabric which their labors have reared,—the work of centuries to construct, and the glory of the world when completed.

*Injuſo ne pede — oras
Stantem cœduntam; neu populus frequens
Ad arma cœdit, ad arma
Cœdit uterque neque deangit.*

Before we dismiss from our minds the objections to the measure proposed, which occur to us from its being an innovation, it may be to our purpose to attend to the opinion of a great man whom we have quoted once before; Lord Bacon; in order to show what were ^{all} his ideas on the subject. He tells us, it is good also, ^{not} to try experiments in states, except the necessity be ^{all} urge — or the utility evident. In this quotation, every syllable ^{all} applies ^{all} to us with infinitely more force than to any other ^{all} instance for which it might be quoted; for here no ^{all} necessity exists, for the nation enjoys every practical benefit without it; and no utility is evident, because it is so far from being useful that it would be an injury, by increasing to a dangerous excess the democratic influence in elections, which already exists to as great an extent as is safe with respect to the other energies proper to be exerted, and therefore proper to be

¹ Essay on Innovation.— He likewise says, “and well to beware that it be the reformation that draweth on the change, and not the desire of change that pretendeth the reformation”—this we conceive to be very necessary in the change meditated in our Parliament.

protected, on such occasions; and to give, *out of* Parliament, an ascendancy to the mob which would bring with it inevitable ruin, by endangering the existence of Parliament itself; for when have the people been adequate, either as to power or inclination, even to defend their country by their own wisdom, or their own activity? To comprehend the force of this question, let any man turn to the orations of Demosthenes, when Athens was menaced by the overgrown ambition of Philip;—let him observe what address was necessary on the part of the orator, to give some degree of consistency to the vacillating politics of a tumultuous republic, or to rouse a whole people from their indolence, their pleasures, their vices, to arm themselves against certain destruction. We say, address; for it was not mere cogency of argument that would have produced the effect he desired; if the orator had in well-turned periods poured forth the language of reproach and honest indignation, he might have excited their malice and their resentment, but he would never, ~~ve~~ stimulated their patriotism; for, be it known, in proportion as the people, by which phrase we mean the lower orders, the clamorous and the factious, grow powerful, in the same ratio does their laziness and their indifference as to the public good increase; and thus, while we were *gloriously* encouraging and pampering the people in all their vices, we should ultimately find that our improvements in the constitution of the country had only destroyed our resources and paralysed our energies; and thus opened a door for the secret arts or open force of the common enemy.—For, as it is unquestionably true that there are, within the kingdom, those who, from depravity of heart, are the enemies, and would be the subverters, of the constitution, did but our government relax in its vigilance, so is it most true that there is a modern PHILIP ready to avail himself of any opportunity that might be offered him;

though, in one respect, the Athenians were more fortunate than we, for the hand of death has closed the eyes of our modern Demosthenes whose eloquence was the first trumpet to sound the alarm when scarcely the most alert perceived the danger ; when the turbulent spirit of the lower classes, which many are now endeavouring to raise again, was, with the cry of liberty and equality, exerting all its power to annihilate every thing that had the sanction of law to support it—such is the nature and tendency of the innovation proposed, and such the blessings that may be expected from it!!! Let us now turn our attention to a more pleasing prospect ; the contemplation of the good we enjoy.

In order to ascertain the advantages we derive from the House of Commons, constituted as it is, let us consider of what it is capable. It will easily be conceived, that the demands of a nation, whose only pursuit is war, must be few ; recruit your army, and almost all the business of the state is done : plunder may supply food and clothing ; but how numerous are the concerns and interests of a commercial country like Great Britain!—to regulate and to legislate for these, what various knowledge, what different species of talent, are requisite!—infinite, ^{and} too great for any one mind to possess. It has been observed that in England there are more methods of gaining an honest livelihood than in any other country hitherto known ; if this be true, let any one reflect how much of burden is imposed on the legislature by this circumstance ;—all are to be protected, all are to be encouraged ; not merely the trade that is carried on in the Metropolis or in Birmingham, but the commerce also which is necessary to that trade ; in all its ramifications and bearings from Greenland to Cape Horn ; from the Atlantic to the Indian Ocean. Trace this care throughout the various departments of commerce, through all the complicated demands of necessity or luxury, and

then let the question be asked, what kind of intellect is useless in a House of Commons, provided it be capable of being applied to the pursuits of men. What description of persons, then, would you exclude? for the unavoidable effect of this reform would be to exclude some of the most useful men that the country possesses, as we hope to prove. Would you exclude the military officer; the naval officer; because these may be considered as dependent on the crown for promotion to the command of armies and navies? Would you exclude the lawyer, lest the hopes of the trials should influence his vote? the merchant, the stockbroker, the manufacturer?—the pursuit of any one of these may occasionally be the subject of debate; and who so competent to legislate on these several points as the persons most accustomed to consider them primarily? Would you exclude these, for the purpose of admitting the uninformed man, or the man of desperate fortune?—In the wide extended dominion of the Corsican usurper, no such necessity of consulting the wants of the public exists. If he permits no commerce that shall supply the demands of his people, he has an army ready to still their cries, but in England this is not the case: there ten thousand subjects for legislation arise, not known either in France or elsewhere.—Let a man consider what a House of Commons of England ought to be, in order that it may do justice to the various, and in many respects intricate, interests of the country; and then let him ask himself whether it be possible to form a senate whose office it is to promote the welfare of a nation such as we have represented England to be, better calculated to answer that purpose than the House of Commons, constituted as it is at present, by condensing the various talents requisite for public business in a greater degree than perhaps was ever done in any other popular assembly whatever.—Where was ever found an individual who had occasion for

the assistance of Parliament, who has not found men in that assembly, able to judge of the merits of his case? or who was ever precluded from a patient hearing, provided the language in which his tale was couched was conformable to the rules of decency: to those rules which every man requires for himself, and which the nature and dignity of all public bodies require to be observed towards them? Even the spirit of party, which is ever found in great political assemblies, has this one advantage to compensate fifty evils that it engenders: it brings every thing to argument, pro and con: the two parties as regularly set themselves to oppose each other as the counsel on a trial at the Old Bailey, where one advocate says all he can in behalf of the prosecutor, and the other for the defendant, and, from the two, the Court and the Jury elicit the truth: the same subject is produced in the House of Commons; and perhaps it has seldom happened that the ultimate decision formed on any point has been other than what prudence or necessity dictated. If any man feel dissatisfied with the representation of the people of England, let him see the senates of other countries, and he will learn perhaps, from them, the difficulty of constituting public assemblies, *as* to render them in every respect adequate to the purposes for which they were constituted; restraining the violence to which disquisition has a natural tendency, yet preserving that freedom without which disquisition would be nugatory. Yet this happy medium has Great Britain found, and is now called upon, if the *nation please to have it so*, under the

¹ We would recommend to our readers the perusal of De Lolme's valuable work on the Constitution of England.

² Modesty and moderation in words, never was, nor ever will be, observed in popular councils, whose foundation is liberty of speech
Lord Clarendon's Hist. Reb. book. I.

specious pretence of reform, eventually to sacrifice it; to surrender it on the summons of the ignorant or the artful; without the remotest prospect of receiving any practical benefit from a measure so fraught with evil.

To avoid the necessity of making such a sacrifice, let us be true to ourselves; to insure the possession of the benefits above enumerated, we are not called upon to make any exertion to obtain them; we enjoy them already; we are, as the orator of old told the Athenians, *καρπιοι της ψυχου*; we are in possession, and all that is required of us is, not to do voluntarily, wilfully, and blindly, that which would deprive us of them; not to suffer ourselves to be deluded by those who, to speak of them in the most favorable terms, are very incompetent judges of reason or expediency, though very severe tyrants, whenever they are permitted to gain any ascendancy. Resist the first attempt at innovation, the second is prevented; but give way to the first, and you know not to what extent you are pledged. In the reign of Charles the First, the bishops were excluded from the House of Lords, and Lord Falkland voted for it; but when he saw to what lengths innovation was afterwards carried, he sincerely regretted the consent which he had given.—Encourage the same spirit now, and we may soon hear the House of Lords spoken of as “the other house;” and the House of Lords and every thing else, either useful or venerable, laid prostrate at the foot of some artful demagogue who, laughing at our folly, will establish, like Cromwell, his greatness on the ruin of ours.

We do not think so humbly of the intellects or the patriotism of the majority of the nation, as to suppose that they will suffer themselves to be the dupes of such politics—we have among us the spirits of those worthy men, though they themselves may now be no more, who frequently, in the House of Commons and elsewhere, warned the nation

of the snare that was spread under their feet, and we hope and trust that the warning was not in vain, but that all who do not prefer riot and disorder to peace and security, will join heart and hand to aid the government to defeat one of the most ruinous projects that was ever obtruded on a people.

We expect that our opponents will object to us, that the author of the Commentaries on the Laws of England, whom we have had occasion to quote, has expressed himself in terms amounting very nearly to an approbation of a Reform in Parliament; and we readily admit that, whatever may be his encomium on the laws respecting Parliaments, he has said, "if any alteration might be wished, or suggested in the present frame of Parliaments, it should be in favor of a more complete representation of the people." How far it may be perfectly discreet in an author writing on a grand political question, to throw out a hint at an imperfection, without defining accurately what it is, and pointing out a remedy for it, I leave to profounder understandings than mine; the learned author has already told us that there is hardly a free agent to be found but who is intitled to a vote in some part of the kingdom or other; he has told us that it is expedient that agents who are not free should not have votes, lest they should become corrupt,—and yet a hint is thrown out that we want a *more complete representation* of the people. If we are not mistaken, Sir W. Blackstone is sometimes to be detected in saying and unsaying the same proposition; and until it be accurately ascertained what alteration in the constitution could remedy so singular a defect as that above stated, that is to say, the incomplete representation of the people, when there is hardly a free agent in the kingdom but has a vote, and only such are entirely excluded as can have no will of their own,

* See Blackstone's Commentaries, Vol. I. p. 171. and Seqq.

and those who are esteemed to have no will of their own ought not to vote, as all popular states have admitted by their conduct, we really are at a loss to discover. We might make an alteration, without making any improvement in our system.

But, allowing to Sir W. Blackstone's observation, that a more complete representation of the people is desirable (an observation in which we do not concur with him) all the weight possible; what is it compared with the skill and judgment manifested in settling the right and mode of voting, in arranging the claims of the landed and commercial interests, a skill and judgment to which Sir W. Blackstone himself, notwithstanding any objections that he might have, bears testimony?—a mere nothing!

Or even supposing, for argument sake, that real evils did exist, and we only suppose it for argument sake; and that some intellect, luminous without doubt above the usual lot of man, could devise something by which this evil might either be palliated or removed; is this a time to reject old habits and customs, and disturb the public mind by futile innovations? to throw aside that which is venerable in system, for its antiquity, to adopt that, which 'though it be not rejected, yet ought to be held for a suspect,' as Lord Bacon expresses it; which will require the lapse of centuries to acquire the same interest in the minds, or the same hold on the affections, of the people, as the exploded establishment had. Far more probable is it, the system thus adopted would be superseded long before time has shown either its merits, or its defects, to make room for another which, in its turn, might yield to a third, at the pleasure of those who might gain power sufficient with the people for the purpose, and thus the energies of the nation be exhausted in a succession of fruitless experiments, till, at last, as in the instance of the Commonwealth, established on the destruction

of monarchy in the time of Charles I., the people gladly return to their former mode of government, and hail him as the deliverer of their country, whom they had before persecuted, and driven into exile.

It now remains that we notice the second part of the proposed innovation, the making Parliaments triennial, instead of being, as they now stand, septennial. We call it an innovation: for, notwithstanding at one period since the Revolution, our parliaments were triennial, yet as for divers prudent reasons the law was altered, the *restoration* of Parliaments to a duration of three years is as much an innovation, with respect to us, after the lapse of near a century, as if they had *always* been for seven years;—with this difference, which is with us an argument against such innovation, that we return to that which, upon making a fair experiment, was rejected.—We will quote the words of Mr. Justice Blackstone on the subject'—‘The utmost extent of time that the same Parliament was allowed to sit by the statute 6. W. and M. C. 2. was three years—After the expiration of which, reckoning from the return of the first summons, the Parliament was to have no longer continuance—But by the statute 1 Geo. 1. S. 2. C. 28, (in order professedly to prevent the great and continued expenses of frequent elections, and the violent heats and animosities consequent thereupon, and for the Peace and security of the Government, then just recovering from the late rebellion) this term was prolonged to seven years.’—So that it appears that the experiment was made for about twenty-eight years, and then an alteration took place. That the grounds alleged as the reason of the alteration existed as facts, we cannot reasonably doubt; neither can we well doubt that the same reasons exist at present that

prompted the alteration at the time when it was made, whether it be the expenses—the heats or the animosities;—for though we no longer hear resounded through our streets ‘roundhead and cavalier’—‘Whig and Tory’—Jacobin and Aristocrat—or ‘Pitt and Fox,’ the cry may be as loud and the ferment as great, that are excited by the Reformers of Parliament against septennial parliaments and the settled order of things, as on any of the occasions above alluded to. It is therefore the duty of our governors, because it is the interest of the community, to prevent as much as possible the recurrence of those events which are calculated to create heats and animosities, and to endanger the public security; and though it may be truly said that by the wise and prudent measures, and generally speaking, the success of the plans, of the Administration of the present day, the splendid achievements of our fleets and armies, and the degraded state of the common enemy, many fears and apprehensions have been done away, and confidence is reposed in our rulers, yet those know but little of *the people* who suppose that the most consummate integrity or the profoundest wisdom, attended with the most prosperous issue of their labors, would ensure to any administration that support from the mob, which would be proof against the attacks of such as would wish to render them dissatisfied. And as at all elections there are many whose interest it is to render them dissatisfied and to humor, in every sense of the word, the passions and prejudices of the electors;—the period of an election is always, and must necessarily be, from the nature of things, a season of turbulence and riot, a general nuisance to all who are disposed to live peaceably in their habitations.

In addition to the argument above stated, which, whatever weight it may have with the patriots of the present day, ~~was~~ ^{was} certainly considered as important a century ago,

it may be urged that, as the law of elections stands at present, no small inconvenience must necessarily arise, in the discharge of the business of the public, from the making Parliaments triennial. Till the passing what is called the 'Grenville Act' which gave the House of Commons a power of appointing Committees to try contested elections, the mode of proceeding, which the rejected candidate was obliged to adopt, was by an Information in the Court of King's Bench, to try the legality of certain votes which he contended ought not to have been admitted; and by the admission of which, a majority was created against him, and consequently he lost his election. The House of Commons, considering this mode to be objectionable on many accounts, caused an act to be passed, generally known by the name of the Grenville Act; under which the party aggrieved may present his petition, and a Committee will be balloted for, to try the merits of such petition. Now it is very well known that many Petitions of this kind are presented on the meeting of every new Parliament:—and if any petition should occupy a large portion of time, or remain long on the table of the House before it can be decided, and both these circumstances must in the nature of things be expected,—the necessary consequence will be that no small part of the existence of a triennial Parliament will be spent in deciding whether A or B ought to sit as member for the borough of **** during all which time the said borough of ***, if it send but one member to Parliament, must either remain unrepresented, or be represented by a member who perhaps ought not to have been returned, and consequently the people of the borough are not represented by the man of their choice.—Is not this an inconvenience?—to our apprehensions, a very great one; for it will produce this effect; that as any gentleman who offers himself as a candidate may be liable to the inconvenience

and expense, here alluded to, he will consider whether three years' enjoyment of a seat in the House of Commons, will be worth all the trouble and anxiety attending a contested election,—in which he may find himself involved. In many instances, the candidate must decline such a contest: his fortune, if he has a family, may not be able to bear it, or would not recover the injury it would sustain before a second contest would be necessary, that is to say, at the end of three years.—And this would operate as another obstacle to good and worthy men getting admission, and tend to throw the representation of the people into the hands of a set of desperate adventurers, who, having once obtained a seat in Parliament, might look to the minister for a compensation for their losses.

For this reason, were there no other, the pretended Reform in Parliament ought to receive, from all who are anxious to maintain the real dignity of Parliament, the most decided disapprobation. And most earnestly do we hope that the majority of the nation feel thus anxious for its *dignity*; sensible, as they can but be, that, *that* once gone, Parliament, as the grand source of public security, is no more.

How much better then is that which the law of the land has defined as the fittest term for the duration of Parliaments, than that which is to be substituted in its stead! and what is the foundation for the alarm, in the mind of any man who does not suffer himself to be scared by phantoms and the absurd bodings of waywardness and folly, that the member is under the influence of the minister, when the minister himself is under the influence of the parliament and of the people likewise! For it is to be remembered, that though the people are represented, they are not annihilated as a body, nor are they silenced as to the expression of their sentiments. In order to make this more clear, we

will suppose the minister of the day to be corrupt, and in every respect unfit for his office. Has there been any period from the Revolution down to the present moment, when there was not some one in the house who felt it his duty, or, what is more to the purpose, his interest, to oppose such a minister? and when has there ever been such a decided opposition without its ultimately driving him from his place? If the opposing member was not remunerated in any other way, which is not very likely, the popularity he acquired has proved an ample source of gratification;—and, in such a case, what minister is there who would not feel the necessity of retaining popular opinion—or, if Parliament failed to assert its own suggestions; the people, and here might not be the rabble only, would soon make their sentiments known to their representatives, and give them to understand what they expected from them.—What we here take as hypothetical may be confirmed by fact. What was it that removed Lord North from his situation? The American war had been proceeded in till the nation was tired of it, but the minister was not disposed or was not able to make a peace. What was the consequence? The opposition spoke the language of the nation; and therefore was supported; and the minister resigned. Yet at this time, let it be remembered, Parliaments were septennial.—This is the second instance that we have recorded where the sense of the people has prevailed, and this too, though Parliament was of such a duration as made it, according to the language of our sapient adversaries,—the tool of the minister!!

Let us, however, consider how, supposing Parliaments are corrupt, and that the corruption arises from their being called for seven years, the evil is to be cured by calling them for three only; because, even though it were proved that the evil exists, it does not follow that the remedy prescribed

would cure it. To us it seems that it would only shorten the 'duration' of the minister's influence, it would not diminish its power while that influence existed. Any bargain that may be supposed may be as binding for three years as for seven. If we are told that the responsibility of the member to his constituents is increased by the more frequent recurrence of elections, we will readily admit the fact, but deny that it follows that Parliament would be more *pure* from that recurrence; for every *new* member that might be returned might be as open to a new bargain as he that was superseded: the purity would, in both cases, equally depend, not only upon the Representative, but also upon the Electors, who are as likely to be *factionous*¹ and corrupt as the member is to be *venal* and corrupt; and it would be as impure in a member to sacrifice the public good, by cajoling the people in order to secure his election, as it would be to do the same act to procure a bribe from a minister. We frankly avow ourselves of the opinion of those who contend that a member ought to go perfectly *free* and *unshackled* into the House—to recollect that he is to legislate for 'THE WHOLE,' and to feel himself divested of all party squabbles and brawls—the affairs of a nation cannot be conducted on the same simple principle that may regulate the politics of a vestry.—And to suppose that the people would choose upon real, substantial grounds of recommendation is scarcely to be hoped—in fact it has rarely happened, and, consequently, whenever it has been the case, it is to be considered as the exception, not the example, to the rule. Neither is there any reason to suppose, as far as history speaks on the subject, that when Parliaments were triennial they were less under the control of the minister.

¹ And here we beg leave once more to refer to the Middlesex Election.

Even at that time, improper persons were occasionally chosen, and, when chosen, would act as corruptly, as if they had reckoned on a seven years' tenure of their seats, so that, as it appears, the evil sustained by the expense, the riot, and the profligacy which attend a general election, are certain, and any good that can be supposed to ensue is problematical.

If we are asked, which we should in reason consider as the greater evil, the acting under the influence of the minister, or of a set of rable-voters, such persons, that is to say, as would become voters under the new arrangement, we do not hesitate to affirm that we consider the latter as the greater evil. The minister, whom a member might support, has a certain degree of credit to maintain, which would, *prima facie*, prompt him to do his duty. In the course of that duty, he must pursue certain measures, which make it requisite that he should be supported: without that support there would be no government; and until it be plain that the minister be either corrupt or incapable, it is the duty of a member to support him. With the mob, there is no such credit; they generally act, not from judgment, but from feeling; and who ever considered the feeling manifested by the rabble as a sound principle, in which any confidence, even as to consistency, could be placed? The favorite of one day has been the exile of the next:

O thou fond many, with what loud applause
Didst thou beat Heaven with blessing Bolinbroke,
Before he was what thou would'st have him be!

Hitherto we have considered the House of Commons, in the strict sense of the phrase, as the Representatives of the people. We have considered its electors, and, as far as was necessary for our purpose, its faculties and its oper-

ations. But it may still farther claim our attention, from certain other peculiarities connected with it, not arising entirely from itself, but from its relative situation with respect to the other branches of the legislature, or, more generally, with the state and condition of the kingdom at large.

In our opinion, the nation draws no inconsiderable advantage from the House of Commons forming a *third* estate, not merely as forming *another* estate, but as being a *third*.

Had there been but *one* other estate, in case of any disagreement between the two, the House of Commons could only have formed an opposing power to that other; and supposing it but equal to that other, could only have impeded it in its operations; or, had it been more powerful, it might have controlled and overwhelmed it, and, consequently, that other would have been reduced to a mere nullity. Thus, in the one case, the nation might have been distracted by a contest between two powers for the mastery, or, in the other, have been left at the mercy of the predominant power, of whatever description it might be. But by being a *third* estate, it is not only an *assisting* power to both the others, provided they act in obedience to the laws; but where either does not, it can unite with that which is in danger, and, by so doing, act as a preservative of the *constitution*, from its intimate connexion with the people as a mass: and this advantage is increased, from being the organ by which their wants are brought forward, and become the basis of laws, without reference to its being composed of persons recognized as the Representatives of Counties, Boroughs, &c. &c. individually. And so long as it preserves that character, so long will it con-

* The greater number of Acts of Parliament originate in the House of Commons.

tinue to diffuse security on all, and be the grand bulwark against the inroads of the two other states, but no longer.

But the mischief is, that the clamor and suspicion that may be necessary in a republic, where, from the feebleness of the constitution, any man who, by wealth, or probity, or talent, is raised above the common level, becomes formidable, is excited here where monarchy is so firmly established as the fountain of honor, that all who gain honor must necessarily receive it thence, as the only source, and hold it subordinate to that power which conferred it: nothing, therefore, is to be apprehended from the most splendid talents or the most consummate virtue. Of this jealousy, so natural in republics, we meet with many instances among the ancients. Cornelius Nepos closes his life of Miltiades with these words: ‘*Namque Athenienses propter Pisistrati tyrannidem, quæ paucis annis ante fuerat, omnium suorum civium potentiam extimescebant. Sed in Miltiade erat cum summa humanitas, tum mira comitas, ut nemo tam humilis esset ut non ad eum aditus pateret; magna auctoritas apud omnes civitates, nobile nomen, laus rei militaris maxima. Hæc populus respiciens maluit eum innoxium plecti, quam se diutius esse in timore!*’ And though we cannot applaud the justice of the Athenians, their conduct may be accounted for by the weakness of the species of government under which they lived.

To demonstrate the difficulty, if not the impossibility, of political gratitude, which is found in republics, and in kingdoms, likewise, where the government is exclusively monarchical, Macchiavel has the following passage: ‘*E tanto dunque naturale questo sospetto nei principi che non sene posson difendere ed impossibile ch’ eglino usino gratitudine a quelli che con vittoria hanno fatto sotto l’ insegna*

loro grandi acquisti. E da quello che non si difende un principe, non è miracolo; nè cosa degna di maggiore considerazione sè un popolo non sene difende.' The same author, a little farther on, adds, 'Ma l'ingratitude usata a Scipione nacque da un sospetto che i Cittadini cominciarono avere di lui che degli altri non sera avuta, il quale nacque della grandezza del nemico che Scipione aveva vinto, dalla riputazione ch'egli aveva data la vittoria di sì lunga e pericolosa guerra, dalla durezza di essa, da i favori che la gioventù, la prudenza e le altre sue memorabili virtù gli acquistavano.—le quali cose furono tante che, non che altro i magistrati di Roma temevano della sua autorità. In qual cosa spiaceva agli uomini savj, come cosa inconsueta in Roma. E parve tanto straordinario il vivere suo, che Catone prisco, riputato santo, fu il primo a fargli contra, ed a dire ch'una Città non si poteva chiamare libera, dove era un cittadino che fosse temuto dai magistrati.' So that those very virtues which excited the admiration of all who witnessed them, caused him who was endowed with them to be suspected, and the greatest benefits conferred on his country, became the source, and established the necessity, of punishment; and this, not from the temper of the times, but from the inherent evil of the constitution of the country.

Neither is the fate of the two heroes above named to be considered as solitary instances; the fear which produced the punishment of Miltiades and of Scipio, must have operated in the same way in a numberless other instances; but, by quoting these two we have shown in what manner great men must expect to be treated, when the people are their masters.

But in England the case is different; for, by the excellence of our Constitution, we are enabled to do what very few kingdoms, and certainly no republics, have ever been

able to do:—TO BE GRATIFUL—a power which Macchiavel himself seems scarcely to have deemed possible. We can confer honor and wealth, without at the same time conferring power; and thus the annals of our country exhibit a degree of political justice which is sought in those of other countries in vain. If General Churchill could, by superior military talent, defeat the ambitious views of Lewis the Fourteenth, his sovereign could, without endangering the state, elevate him to the highest honor, to which an English subject could aspire; and as long as the empire of Great Britain shall stand, the name of the Duke of Marlborough will be remembered with honor, and with gratitude: the same may be observed in the instance of the immortal heroes of the Nile, and the Peninsula; whatever honors their sovereign may have conferred on them, the safety of the Constitution can never be brought into jeopardy by them. If gratitude, in our Constitution, is as needless as it would be disgraced, Our heroes have no ostracism to fear, and of course more talent can be exhibited with safety to the possessor, in defence of Great Britain, than could in any of the boasted nations of antiquity. And this is to be attributed solely to the well-compact frame of our government not resting on *any one abstract principle*, as a Palladium, of which we might be deprived; but supported by numberless resources, and forming a mighty fabric, which nothing short of consummate wisdom, under a gracious Providence, could have reared, and which, perhaps, nothing but our own corruptions or folly can destroy. We need not be apprehensive that it is to be injured by septennial Parliaments, by a few gentlemen purchasing seats in the House of Commons, even supposing the fact to be as some state it, by the officers of government sitting as members for certain boroughs, or, lastly, in a word, by not excluding from the councils of the nation, the wisest, the ablest, the best men in the kingdom.

If we do not overrate the power of the arguments which we have brought forward against the Reform of Parliament, we conceive that we have demonstrated, that the Reform of Parliament would ultimately produce the Ruin of Parliament, by annihilating the qualification of voters, which our forefathers perceived was necessary to preserve the dignity of the Representatives of the people, and which, according to Mr. Justice Blackstone's account, is a measure found necessary in all *popular* states. But perhaps it is meant to be understood, that the reformers in destroying the dignity of the House of Commons, would substitute some other qualification in the stead of that which exists at present. Even in this case, the effect would be nearly the same, as the purpose of the alteration would still be, to admit those who ought to be excluded from the right of voting. We conceive that we have demonstrated that the consequence of this extension of right, would be, that men, devoid either of integrity or talents for business, would be returned as members; and that, instead of any advantage resulting to the people from such a measure, experience shows that serious inconvenience to the public must ensue. That in altering the duration of Parliaments to three years, we recur to that, which our ancestors, after having adopted it, found inexpedient, and had recourse to that establishment which now prevails. That the influence which is stated to exist, is a practical good, as having a tendency to bring talent and understanding forward for the service of the public; an argument which applies equally to that custom which is said to exist, that seats are purchased. That it is scarcely possible to conceive a House of Commons more wisely constituted with respect to public business, than ours at present, and that from no system that ever has been devised for its REFORM, is the smallest practical benefit to be expected. On the contrary, scarcely any one of the advantages, which we enjoy from our

present constitution, would not be endangered, if not positively and certainly sacrificed, by an alteration. And for these reasons we do not hesitate to declare it as our decided opinion, that THE REFORM OF PARLIAMENT would be THE RUIN OF PARLIAMENT.

Such are the arguments which have occurred to us respecting this most important measure ; arguments, which we are not aware that the advocates for the Reform in Parliament can answer, and tending to prove that the prospect of good to be expected is fallacious, and that innumerable evils, absolutely certain, attend the adoption of it. We are not actuated by any party views, for we are of no party ; but we are not afraid to avow ourselves firmly attached to the present established order of things, and to the revered person, and to the mild and equitable government, of our gracious Sovereign.

Nolumus leges Angliæ mutari.

We hope we have not been intemperate in our language : though we entertain no very favorable opinion of the conduct or the intentions of our opponents ; though we conceive we trace in the situation of the country, at the time when the clamor for Reform was first excited, those circumstances which were found in Rome, at the close of the reign of Augustus.* *Postquam prorecta jam senectus, ægro et corpore fatigabatur, aderatque finis et spes novæ,*—and though we doubt not that many with ‘jealous leemalign,’ have eyed the probable future conduct of the successor ; yet, we hope that we have not been intemperate. Owing to the peculiar situation of the Sovereign, all hopes that the discontented may have formed, from what might be the conduct of the successor, are annihilated ; he has

* Tacitus Ann. Lib. I.

been called upon, in some sense of the term, prematurely to decide and to act; and the course which he has pursued, has raised him in the esteem, and endeared him to the affections, of the worthy and the well affected. From his moderation and the steadiness of his counsels, he has defeated the arts of those who were equally the enemies of himself, and of the country; and he has the satisfaction of contemplating, that his honest and worthy endeavours have been crowned with a success, that baffles all comparison in the history of modern Europe. These events, it is incumbent on us to contemplate WITH GRATITUDE. We openly rest our cause on fair and legitimate argument—on the experience, on the wisdom of the wise.—We leave invective for those who stand in need of it; to those, who, not having reason on their side, require some succedaneum for argument; to those, who, hoping that from the general wreck of the fabric of the state, some advantage may accrue to themselves; to those, whose *trade* and *occupation* it is ‘to speak ill of dignities;’ to those, who consider every man in office as a knave, and every man who decries and defames the government as a friend to the people. We are fully aware, that as there are philosophical enthusiasts, and religious enthusiasts, so, likewise, there are political enthusiasts, men with slender judgments and heated passions. Quixotism is not confined to combats with windmills; but let the Quixotes of the present day recollect, that when the ferment is once excited, no medicine can cool the blood again; the disease, when once epidemical, becomes dead’y, *nulli medicabilis herbæ*; and that they likewise may perish with the rest. When once the spirit of discontent is permitted to walk the earth, no ordinary hand can arrest his progress; wherever he sets his foot, the ruin of thousands ensues. That this will be the effect, if the present clamor against the Representation be

suffered to proceed to the extent that many seem to wish, no man can doubt; and, for these consequences, all who engage in that clamor are *morally responsible*.

If, in any one instance, what is submitted to the public in these pages, will avail to rouse the attention of the thoughtless, or to defeat the schemes of the unprincipled; if it will avail to show that in no constitution, nor in any other exertion of human intellect, is perfection attainable; if, by demonstrating the decided superiority of our system of government over all others hitherto devised, it will tend to render those contented with their present condition, who before were disposed to complain, or who but acquiesced in it, from the supineness of custom, we shall not feel elated—*KOMMEIN OTXI BOTIOMAI*—but in all due humility shall attribute the effect, not to our own merits, but to the goodness of the cause in which we have engaged, and to that conviction which the eternal principles of reason and truth, will ever bring to the minds of the candid and unprejudiced, against the schemes of those, who, either from want of penetration, do not perceive the latent mischief, or, who seek to mislead others, the better to promote their own base interests.

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CHARGE

DELIVERED TO THE CLERGY

OF THE

Diocese of Lincoln,

TRIENNIAL VISITATION OF THAT DIOCESE

In May, June, and July,

1812.



BY GEORGE TOMLINE, D. D. F. R. S.

LORD BISHOP OF LINCOLN.

TO

THE CLERGY

OF THE DIOCESE OF LINCOLN,

THIS CHARGE,

PUBLISHED AT THEIR PARTICULAR REQUEST,

IS INSCRIBED,

WITH THE MOST SINCERE RESPECTS AND REGARDS,

THEIR AFFECTIONATE FRIEND AND BROTHER,

GEORGE LINCOLN.

Buckden Palace, July 23, 1835.

INTRODUCTION.

IN the preface to my "Refutation of Calvinism," I stated that the first, third, and fourth Chapters included the Charges which I delivered at the visitations of my Diocese in the years 1803, 1806, and 1809, with the exception of the latter part of the Charge of 1809, which I did not think it necessary to insert, because it related to a subject totally unconnected with the points discussed in that work. I trusted that this would be considered as a sufficient reason for not publishing the charge entire, according to the request of my Clergy; but I take this opportunity of printing the part then omitted, as it is referred to in the beginning of the following Charge.

Conclusion of the Bishop of Lincoln's Charge to his Clergy, at his Visitation in 1809.

IN discussing the Doctrines of Universal Redemption, Original Sin, and Justification, it has been found necessary to recur to the times of the Reformation, that we might clearly understand the Language of our Articles and Homilies upon points which were then the subjects of eager dispute. A review of the History of the Protestant Church is always interesting and useful to its Members, but it is peculiarly so in consequence of attempts which have been lately made to admit Roman Catholics into all offices and situations of trust and confidence, without any exception. No one can be a greater friend than I am to Toleration properly so called: I consider it as a mark of the True Church, as a Principle recognised by the most eminent of our Reformers and Divines. But I contend, that the Roman Catholics are already in complete possession of Religious toleration. What they now demand is Political Power—

a species of political power which, in my judgment, could not be granted without extreme hazard to our Constitution in Church and State. Popery is not only a System of Religion—it is also a System of Politics. This, indeed, is so manifest from the History of these Kingdoms, subsequent as well as prior to the Reformation, that those who have of late undertaken the cause of the Papists, and urged the removal of all the restraints, framed by the wisdom and piety of our Ancestors, to prevent a repetition of those horrors and miseries which were fresh in their memories, assure us, that Popery now is different from what Popery was. I am confident that this opinion has led many to support the claims of the Papists, who are truly and zealously attached to the Church of England, and would be among its most firm Defenders in any time of trial; but I am convinced that no opinion was ever more unfounded. To trace this opinion to artful misrepresentation, specious liberality, or infidel indifference—to prove it false, from the dogma of Infallibility, which allows no change—from the decrees of Councils and the Bulls of Popes, which contain the most mischievous political maxims, and authorize the most unwarrantable interference with the Rights of civil government and of Religious Liberty—to prove that recent Facts and recent Publications absolutely and authoritatively maintain the same Doctrines, and contradict the Idea of any alteration, as derogatory to the Honor of their Church, may, perhaps, if life be spared me, and circumstances should demand it, employ some future hour. In the mean time, I have, I trust, said enough to draw your attention to this important subject, and I shall content myself at present with earnestly exhorting you to guard, by all proper means, not only against the growth of Popery itself, but also against the prevalence of any opinion, which, by diminishing the dread of Popery, may tend to weaken attachment to the Protestant Interest, and to endanger our Ecclesiastical Establishment. That we live in times of peculiar peril, has long, as you, my Brethren, know, been my firm persuasion; and every year, nay almost every day, adds strength to this belief. We are beset on every side; we have enemies within,

as well as without, that require all our vigilance and caution to keep the Unity of the spirit in the bond of Peace. But let us not be dismayed. The Night is far spent ; the day is at hand. We are assured that there are limits to the fury of our Adversaries ; there are bounds which they cannot exceed ; for the church of God shall not be destroyed. Let us be diligent in our office of keeping it from Corruptions, of enlarging its extent ; and our gracious Lord will give a Blessing to our labors, and when He “ cometh in his Glory,” He will reward every faithful Servant, according to his Faith, and Zeal, and Works.

A CHARGE, &c. &c

IT has always been my endeavour, my Reverend Brethren, on the now many occasions when it has pleased God to allow us to meet, for purposes, I trust, of mutual benefit, to direct your attention to such subjects as offered peculiar ground for gratitude, apprehension, or caution. Numerous are the blessings we are yet suffered to enjoy—great are the dangers with which we are threatened; and difficulties in the right performance of the various duties of our sacred order seem to increase. General irreligion and avowed depravity, I need not again repeat, characterize the present age; and bitter are the fruits they produce. But may we not gratefully hope, that the recent establishment of a system of national education, under the sanction of the highest authorities, in this kingdom, not only proves the value of religious principle to be rising in public estimation, but also provides a remedy for the evils universally felt from its decay. To you, I am confident, it is needless to point out the particular advantages of this plan to the community at large, as diffusing knowledge under the guidance of religious teachers, as promoting order, unanimity, and happiness; or to recommend to your most zealous care a measure so well adapted to draw together again those bands of society which have

been loosened by many lamentable causes. But there is one point of view in which it appears to me so strikingly important at the present moment, that I cannot but consider it as a matter of serious rejoicing to all who are anxious for the preservation of our national faith, and who perceive the various modes by which it is directly and indirectly assailed—I mean the power with which this systematic instruction may be made to operate in support of the Protestant Church, by establishing genuine Christianity in the minds of the rising generation, should the legislature ever be induced to remove those safeguards, which have been hitherto thought necessary for its security. I have never regarded the Roman Catholic Question solely in a political light, because in my judgment it involves in it the safety of the Protestant interest in these kingdoms; and I am persuaded that the severing this question from all religious considerations has greatly increased the number of friends to what is called Catholic emancipation. Under this persuasion, I adverted, in general terms, at the conclusion of my address to you at our last meeting, to the attempt, then recently made, to procure the repeal of the laws which render Papists incapable of holding certain offices and situations of power and trust; and I promised, if life should be spared me, and circumstances should demand it, to enter more fully into the subject upon a future occasion. As the repeated renewal of this attempt since that time has excited additional alarm and anxiety in the minds of persons most sincerely attached to our civil and ecclesiastical constitution, I shall now proceed to inquire into the ground and nature of the disabilities in question, and to point out the danger, which, I cannot but fear, would attend a compliance with the present claims of the Papists.

The principles of a church establishment, and of toleration of those who dissent from the national religion, can scarcely be said to have been thoroughly understood, till the time of the revolution; and perhaps we may go farther, and affirm, that it was impossible to ascertain what regulations would be necessary upon these important points, till the conduct of Papists, living under a Protes-

tant establishment, was seen and known. This was a new state of things; and what would be its precise effect, what struggles and what contests might arise among men, whose religious faith was so fundamentally different, was beyond the reach of human foresight. At the revolution, more than a century had elapsed since the reformed religion was established in these kingdoms; and the knowledge of the dangers to which it had been exposed, during that period, from the restless and hostile spirit of those who still adhered to the Church of Rome, enabled the great and wise men, concerned in settling the revolution, to make such provisions, as would secure the Protestant establishment against future attempts of Papists. The laws against Papists were enacted not upon theory, but in consequence of perils and evils actually experienced; of facts and events, the object and tendency of which could not be mistaken. Some of the laws enacted then and soon after, both in England and Ireland, have been repealed; and therefore of them it is unnecessary to take any farther notice. But others are yet in force; and by these laws, Papists are not allowed to sit in Parliament, to fill the great offices of state, to preside in our courts of justice or equity, or to command our army or navy. These are the only disabilities now remaining; and it is material to observe that they do not in the slightest degree infringe the true principles of toleration.

Toleration is a permission, under the authority of law, to every individual to profess the religious opinions which he conceives most consonant to Scripture, and to worship God in the manner most agreeable to the dictates of his conscience. Internal faith and external worship comprehend the whole, as far as this subject is concerned, of religious service; and whoever enjoys unrestrained freedom in these two respects, enjoys perfect religious toleration. The question therefore is, whether the laws allow the inhabitants of this country to maintain the doctrines, and exercise the worship, of the Church of Rome. It is well known, that our laws forbid neither the public avowal of the Romish faith, nor the public exercise of the Romish worship. Nay, more; the laws not only permit, but they so far protect, the Romish worship, that they

punish every insult or disturbance which may be offered to those who are engaged in the performance of it. There is, in fact, a regular Popish hierarchy in Ireland, and in some degree in England, of bishops and clergy of all their different orders, who are consecrated, ordained, and appointed to their respective dignities and benefices, and are allowed to pronounce ecclesiastical censures and inflict punishments upon the members of their own church : and all this, without any restriction or interference on the part of our government. So great indeed is the liberality of sentiment which prevails towards Papists, both in public and private, that Parliament has erected, and supports by annual grant, an extensive seminary for the education of Popish priests ; and Protestants have contributed largely to the erection of Popish chapels in many parts of Ireland. Such is the actual state of toleration, or of something more than toleration, in this kingdom. And it should be remarked, that the language held by the Papists, in their petitions to Parliament, proves their consciousness of possessing religious liberty to the utmost extent, since their application is only for that degree of political power, from which they are at present excluded. The law says to Papists, you may form your own religious opinions, you may exercise your own mode of worship, because these are unalienable rights with which no civil government ought to interfere. But in this, as in every other nation, laws are to be made and to be executed ; public offices are to be filled, and their various duties discharged ; and into these situations of power and trust you are not to be admitted, because you hold opinions incompatible with the safety of our constitution both in church and state.

If we search into the annals of the civilised world from the remotest antiquity to the present time, we shall find that in all the varied forms of government which have prevailed, there have been institutions of a religious as well as of a political nature. Every national constitution, with perhaps a single exception, has had its religious as well as its political part ; and these parts are generally, if not always, so blended and entwined together, that the one cannot be destroyed without imminent danger to the

other. Self-preservation is allowed to be the first law of nature, as far as individuals are concerned; and in every collective body of men, formed into social compact, it is a paramount duty to provide for the protection and preservation of those laws and of that Constitution under which they have agreed to live. These provisions must necessarily be different under different circumstances; but there seems to be one principle applicable to every form of government, namely, that those who are invested with the power over any community should be sincerely attached to the fundamental laws, from which the Constitution derives its essence and character. Protestantism is an essential part of the British Constitution; and therefore the Constitution does not allow the King to be a Papist, because a popish King could not be expected to maintain a Protestant establishment. It is also a principle of our Constitution, that the King should have advisers in the discharge of every part of his royal functions—and is it to be imagined, that Papists would advise measures in support of the cause of protestantism? A similar observation may be applied to the two houses of parliament: would popish peers or popish members of the house of commons enact laws for the security of the Protestant government? Would they not rather repeal the whole protestant code, and make popery again the established religion of the country?"

It has been asserted, that because Papists are good soldiers and sailors, they would be honest and faithful ministers of state. This is by no means a necessary inference. We admit that too much cannot be said in praise of the cheerful obedience and undaunted bravery of those of our popish fellow-subjects, who have engaged in the service of their country. But soldiers and sailors are instruments in the hands of others; they act as they are ordered; and hitherto they have been under the command of men devoted to the King and to the Constitution. It is otherwise with respect to ministers of state. It is their business to direct—to frame laws—and to propose measures of foreign policy and internal government. Whoever is acquainted with the public concerns of this country,

must know, that the whole complicated machine of its government is conducted by one person, or by a small number of persons, of superior energy and talents. How great then must be the danger in having these few persons disaffected to one of the essential parts of our Constitution? Let us suppose that there had been no test-laws, no disabling statutes, in the year 1745, when an attempt was made to overthrow the Protestant government, and to place a popish sovereign upon the throne of these kingdoms; and let us suppose, that the leading men in the houses of parliament, that the ministers of state, and the commanders of our armies had then been Papists. Will any one contend, that that formidable rebellion, supported as it was by a foreign enemy, would have been resisted with the same zeal, and suppressed with the same facility, as when all the measures were planned and executed by sincere Protestants, who knew and felt, that the contest in which they were engaged, was to decide, whether this country was again to be plunged into all the miseries of popish tyranny, or to continue to enjoy all the blessings of a Protestant government. Such a change of circumstances might have caused a very different result from that, which was in fact so decisive, as to put an end to all attempts to establish popery by force in these kingdoms. Does any one employ in his private concerns those whom he thinks disaffected to his interest, who he knows would rejoice in his disgrace and ruin? And shall we place men, whose principles would lead them to introduce popery and arbitrary power, in public situations, the duty of which is to maintain our free civil Constitution, and to protect our pure Protestant establishment? Were Papists invested with power, they could not but be solicitous to overthrow an establishment, which they believe to be heretical and founded in error; and to substitute that religion to which they believe salvation exclusively confined. The more sincere Papists are, the more eager they must be upon this point.

The offices and situations in question were created, not for the sake of those who were to possess them, but for the advantage of the public, for the safety and good government of the country.

They are not to be granted merely as favors, or to be considered as rights. The benefit of the community, and not of the individual, is the object to be attained. And therefore we should defeat the design and intent of these offices, we should act in direct opposition to their original institution, by granting them to persons who might feel themselves called upon, to use the power, which they confer, in a manner hostile to the welfare of the established constitution.

It is sometimes said, that Papists, being excluded from power, are consequently persecuted; as if exclusion from power and religious persecution were convertible terms. But surely this is to confound things totally distinct in their nature. Persecution inflicts positive punishment upon persons who hold certain religious tenets, and endeavours to accomplish the renunciation and extinction of those tenets by forcible means: exclusion from power is entirely negative in its operation—it only declares that those who hold certain opinions shall not fill certain situations; but it acknowledges men to be perfectly free to hold those opinions. Persecution compels men to adopt a prescribed faith, or to suffer the loss of liberty, property, or even life: exclusion from power prescribes no faith; it allows men to think and believe as they please, without molestation or interference. Persecution requires men to worship God in one and in no other way: exclusion from power neither commands nor forbids any mode of divine worship—it leaves the business of religion, where it ought to be left, to every man's judgment and conscience. Persecution proceeds from a bigoted and sanguinary spirit of intolerance: exclusion from power is founded in the natural and rational principle of self-protection and self-preservation, equally applicable to nations and to individuals. History informs us of the mischievous and fatal effects of the one, and proves the expediency and necessity of the other. In support of these assertions, we appeal to the sufferings of protestants in every country of Europe where popery has been predominant, to the dangers to which our protestant establishment was exposed under the two last kings of the House of Stuart, and

to the internal peace and entire freedom from all religious feuds and animosities, which this kingdom has enjoyed since the revolution.

It is a maxim of every civil government, even where a moderate degree of freedom prevails, that assurance of fidelity should be given by every person previous to his admission into any office or situation of authority or trust. Those who have had the most experience in the management of public affairs, acknowledge the inefficacy of laws, when administered by persons hostile to the spirit in which they were framed; and upon this principle no provisions, which could be devised for the security of the protestant religion, would be sufficient, if Papists possessed any considerable share in the government of this country. Even Mr. Hume,

As the authority of Mr. Fox may have weight with some of the present advocates for the popish claims, I beg leave to transcribe the following passage from his "History of the early part of the Reign of James the Second :—"

"But the inefficacy of mere laws in favor of the subjects, in the case of the administration of them falling into the hands of persons hostile to the spirit in which they had been proved, had been so fatally evinced by the general history of England, ever since the grant of the Great Charter, and more especially by the transactions of the preceding reign, that the Parliament justly deemed their work incomplete, unless the Duke of York were excluded from the succession to the Crown. A Bill, therefore, for the purpose of excluding that Prince, was proposed, and passed the House of Commons (1679): but, being vigorously resisted by the Court, by the Church, and by the Tories, was lost in the House of Lords. The restrictions offered by the King to be put upon a popish successor, are supposed to have been among the most powerful of those means to which he was indebted for his success.

"The dispute was no longer, whether or not the dangers resulting from James's succession were real, and such as ought to be guarded against by parliamentary provisions; but whether the exclusion, or restrictions, furnished the most safe and eligible mode of compassing the object which both sides pretended to have in view. The argument upon this state of the question is clearly, forcibly, and, I think, convincingly, stated by Rapin, who exposes, very ably, the extreme folly of trusting to measures, without consideration of the men who are to execute them." Page 86.

whose partiality to the House of Stuart is as well known as his indifference to all religious tenets, acknowledges that James II. was deficient in "a due regard and affection to the religion and constitution of his country;" and "when this was wanting," says the historian, "every excellency which he possessed became dangerous and pernicious to his kingdoms."¹ And what was the mode which King James adopted to subvert the religion and constitution of his country? Was it not by endeavouring to remove all religious tests respecting the admission of persons into offices of power and confidence? And is not that the very object at which Papists are aiming at this present day? Is it not astonishing that such attempts should find supporters and advocates among those who affect to be the warmest admirers of the glorious Revolution, and to be in the strongest degree attached to the Constitution, as it was then established? Can this admiration and attachment be reconciled with an anxious desire to repeal and abrogate those very regulations and guards, which our ancestors, in their caution and wisdom, provided for the stability and permanence of our civil and ecclesiastical establishments? Statutes, which Judge Blackstone calls the bulwarks of the constitution, and says, that they were enacted to prevent crude innovations in religion and government, and to secure the Established Church against perils from non-conformists of all denominations, among whom he particularly mentions Papists. I lament that time will not permit me to read to you the two Declarations of King James the Second, because they contain the very arguments for the repeal of the test-laws now urged by the friends of the popish claims; but I will quote part of a letter written in 1687 by Pensionary Fagel, to Mr. Stewart, by command of the Prince and Princess of Orange, as illustrative of the principles which placed them upon the throne of England, and as putting the question in its true light: this is its plain and simple language. "Their highnesses could by no means agree to the repeal of the Test, and those other penal laws that tended to the security of the Protestant religion, since the Roman Catholics

receive no other prejudices from these than their being excluded from parliament, and public employments; and that by them the Protestant religion was sheltered from all the designs of the Roman Catholics against it, or against the public safety; that neither the Test nor those other laws could be said to carry any severity in them against the Roman Catholics upon account of their consciences, being only provisions qualifying men to be members of parliament, or to be capable of bearing office, by which they must declare before God and men, that they were for the Protestant religion: so that, indeed, all this amounted to no more than a securing the Protestant religion from any prejudice it might receive from the Roman Catholics. More than this their Highnesses have thought, and do still think, it ought not to be asked or expected from them, since by that means the Roman Catholics and their posterity would be for ever secured in their persons or estates, or in the exercise of their religion; and they thought the Roman Catholics ought to be satisfied with that, and not disturb the quiet of the kingdom under pretence that they were shut out of parliament and employments; and because those laws, whereon the security of the Protestant religion chiefly consisted, were not repealed, by which they might be put into a condition to overturn it. . . . Their Highnesses were convinced in their consciences that both the Protestant religion and the safety of the nation would be exposed to most certain dangers, if either the Tests, or those other penal laws, of which he had made frequent mention, should be repealed; therefore they could not concur with his Majesty in those matters; for they believed they should have much to answer to God, if the consideration of any present advantage should induce them to consent to things which they believed would not only be very dangerous, but prejudicial to the Protestant religion . . . that since the matter that was then in hand related not to the making of new laws, but to the total abrogation of those already made both by King and Parliament, their Highnesses did not see how it could be expected of them, that they should consent to such an abroga-

tion, to which they had so just an aversion, as being a thing that was contrary to all the laws and customs of all Christian States, whether Protestants or Papists, who admitted none to a share in the Government, or public employments, but those who professed the public and established Religion, and endeavoured to secure it against all attempts whatsoever.”¹

It is declared in one of the 39 Articles, that the King is Head of our Church without being subject to any Foreign Power ; and it is expressly said that the Bishop of Rome has no jurisdiction within these realms.² On the contrary, Papists assert, that the Pope is Supreme Head of the whole Christian Church, and that allegiance is due to him from every individual member, in all spiritual matters. This direct opposition to one of the fundamental principles of the Ecclesiastical part of our Constitution, is alone sufficient to justify the exclusion of Papists from all situations of authority. They acknowledge indeed that obedience in civil matters is due to the King. But cases must arise in which civil and religious duties will clash ; and he knows but little of the influence of the Popish Religion over the minds of its votaries, who doubts which of these duties would be sacrificed to the other. Moreover, the most subtle casuistry cannot always discriminate between temporal and spiritual things ; and in truth, the concerns of this life not unfrequently partake of both characters.

The firm adherence of the Papists to the spiritual jurisdiction of the Pope in this realm, has lately been manifested in a strong and singular manner. When the Popish question was brought forward in Parliament in the year 1808, it was proposed in both Houses, as it were in concert and by authority, that the King should have a negative upon the appointment of Popish Bishops in Ireland. But though this was represented by the most powerful and most zealous advocates of the Popish cause, as an indispensable condition of granting the Papists any farther political pri-

¹ Kennet's Hist. of England, Vol. iii. p. 466.

² Art. 27.

vileges, yet it was positively and peremptorily refused by the Popish Bishops themselves, in the name of the whole Catholic body, upon the ground of its violating the rights of their Sovereign Pontiff; although the Pope has not the uncontrolled power of appointing the Bishops in any kingdom of Europe, and the consent of the Protestant King of England is necessary for the advancement of any person to the Popish See of Quebec. Is it to be believed that Papists would be true and faithful subjects, if invested with power, to the sovereign of these kingdoms, when they deny him even a negative upon the appointment to bishoprics within his own dominions? It is well known that Popish Bishops have great influence with their Clergy; and that the Popish Clergy have great influence with their congregations; and yet it is required that this influence should flow from a foreign source, through channels over which the civil and ecclesiastical Head of these Kingdoms is to have no control, no check, no interference. Can it be safe to place men in authority under the King, who are thus attached to a foreign power, and that foreign power at this moment under absolute subjection to the most inveterate enemy of this country? It would be an instance of the grossest kind of that acknowledged absurdity, *Imperium in Imperio*. It would be to give the Pope a complete command over the minds and consciences of men, who would owe an unreserved and undivided allegiance to another master. Let it not however be imagined, that I think this veto would be an effectual preservative against the dangers to be apprehended from the admission of Papists to an equal participation of power with Protestants. I mention it solely for the purpose of drawing from it this inference, which appears to me deserving of most serious consideration, namely, that no credit is due to the assertion, that the Papists of the present day are different from the Papists of former times. Is it to be supposed that Papists have renounced any of the discriminating and exceptionable Doctrines of the Church of Rome, when we see them so pertinaciously adhering to its forms and discipline, at a moment when they are soliciting fresh favors and privileges,

and upon a point, too, which has been conceded in other countries, and even in one of our own foreign possessions? Can any instance be conceived, which should more strongly indicate an unconciliating temper, or more distinctly mark the improbability of their acquiescence in any terms of adequate security, which many of their advocates acknowledge necessary to be substituted instead of the existing Laws, but which have never yet been specifically stated?

Nor are other proofs wanting that the doctrines and principles of Papists have undergone no alteration. In a book¹ published by authority for the use of the Students at Maynooth College, the Infallibility of the Romish Church, which in fact comprehends all its other Doctrines, is repeatedly and unequivocally maintained; and the Work concludes with these remarkable words, *Itaque maximo in pretio illud Concilium (Tridentinum scilicet) habere debent omnes Clerici, cum ratione Dogmatum sit veluti omnium præcedentium Synodorum compendium, et ratione Disciplinæ merito dici possit Manuale Sacerdotum, vel omnium qui Sacerdotio sunt initiandi.* Those, therefore, who are at this day educated for the Popish priesthood in this kingdom, are not instructed in any new system of theology and morals, purged of all the old obnoxious tenets; but they are taught to set the highest value upon the Decrees of the Council of Trent, which, besides asserting the former errors and corruptions of Popery, are known to be in the highest degree hostile to Protestants. And in the Catechism taught in the same College, supported as it is by our Protestant Government, it is expressly asserted, that there is no salvation out of the pale of the Romish Church. In a late publication of Mr. Plowden, called “The Case Stated,” it is openly avowed that the very same tenets are maintained by the Papists of these days, which were held by their brethren of former times. He expressly says, “If any one pretend to insinuate, that the modern Roman Catholics differ in one iota from their ancestors, he either deceives

¹ Tractatus de Ecclesia Christi.

himself, or he wishes to deceive others : *Semper eadem* is more emphatically descriptive of our Religion, than of our Jurisprudence." The titular Archbishop of Dublin, Dr. Troy, in his Letter published but a few years since, says that "the Religious Opinions of Roman Catholics being unchangeable, are applicable to all times ;" and that the decisions of General Councils are of infallible authority, and absolutely binding upon Roman Catholics, as rules of faith and conduct. And he particularly quotes with marked approbation the fourth Lateran Council, the decrees of which enjoin the utter extirpation of Heretics (that is, of all Christians differing from the Church of Rome) and the dethronement of Heretical Sovereigns ; and they declare that all engagements entered into with Heretics, though sanctioned by oath, are nullities in themselves.

It seems wonderful, that with the avowal of these principles before their eyes, and with the certain knowledge of a variety of facts and events which have taken place in Ireland, in the last twenty years, in exact conformity with these principles, any persons should imagine, that the grant of the claims now made would conciliate the Papists, and make those contented and loyal who would otherwise be turbulent and seditious. The demands of 1793 were made under the same promises of peaceable behaviour and zealous exertion in the defence of their country, against the common enemy ; and also with an assurance, that if they should be granted, the Papists would apply for no farther indulgence. All those demands were then granted ; and what was the consequence ? The Papists having thus acquired additional strength, and having, as they supposed, lulled the government into security by their promises and professions, formed new conspiracies, prepared for open rebellion, and invited the French to their assistance, for the purpose of accomplishing their real objects, Separation from Great Britain, and Roman Catholic Ascendancy. Let it be remembered, that the concessions in 1793 were far more extensive in their operation, and therefore more likely to cause general satisfaction and to excite gratitude among the Papists at large, than the grant of the claims now urged would be, the advantage of which must

necessarily be confined to a few of the richer and higher orders. The eagerness with which these claims are pressed, plainly proves the anxiety of the Papists to obtain political power; and the readiness with which all ranks have concurred in petitions for privileges in which by far the greater number can have no personal interest, shows, how easily the whole body is put into motion by those who have influence with them.

Since, then, Religious Toleration is fully and completely enjoyed by the Papists; since every concession of a civil nature has been made to them consistent with Public Security; and since the grant of the demands now urged would endanger our Protestant Establishment, without giving full satisfaction to the Papists themselves; there seems most abundant reason for rejecting the present claims of the Papists. To engage in disputes merely political with warmth and party zeal, is highly unbecoming the office of a Clergyman; but the Catholic Question, as has already been observed, partakes of a religious, as well as of a political, nature. It derives indeed its whole importance from its connexion with the safety of the Established Church. It is obviously to the advantage of our opponents to keep out of sight all religious considerations; and they do not fail to represent as illiberal and irrelevant every reference to the unscriptural doctrines of Popery, and even to the former tyranny and usurpations of the Church of Rome. But surely it is incumbent upon the ministers of the established Church, while Papists and their advocates are making every exertion in their power for the attainment of their purpose, to explain and defend the grounds of our separation from the Church of Rome, and to call to recollection those evils—the invariable consequences of its power—which a long tranquillity has nearly effaced from public remembrance—especially too when we are told by Papists themselves, that Popery remains the same it ever was, and is absolutely incapable of any change. If we have Popish Legislators, we must expect Popish Laws. If the King has Popish advisers, he will unquestionably receive Popish advice. If therefore we dread the re-establishment of Popery; if we feel an attachment

to the cause of Protestantism; if we value the continuance of those civil and religious blessings which this country has now enjoyed for more than a century; if we believe that the doctrines of our Church are perfectly consonant to "the faith once delivered to the Saints," we are bound by every principle of interest and conscience, to contend against the removal of those barriers, which our ancestors erected to protect the establishment of Protestantism, and to guard against the return of Popery. Lamenting the continuance of errors which sprang up when "gross darkness covered the nations," and grateful for the labors of our reformers, who pierced the veil and restored the light of the gospel to this highly-favored kingdom, let us, my Reverend Brethren, imitate their zeal in disseminating knowledge, their firmness in supporting truth; and under the influence of genuine Christian charity, a mark of the true church of Christ, let no personal animosity mingle with the exposure of false doctrines, the censure of dangerous principles, or the fear of future evils. But "instant in season" let us endeavour to make the apprehensions, which the claims of the Roman Catholics have unhappily created, instrumental in healing those divisions among Protestants which are our great reproach. Thus shall we evince ourselves faithful ministers of our pure and tolerant church, and watchful servants of the Great Shepherd of the scattered flock, who will, in his own good time, gather into his heavenly fold, all, who have sincerely and diligently sought the path which he has opened to Eternal Life.

A
LETTER
TO THE
RIGHT HON. N. VANSITTART, M. P
BEING
AN ANSWER
TO HIS
SECOND LETTER
ON

The British and Foreign Bible Society ;

AND, AT THE SAME TIME,

AN ANSWER

WHATEVER IS ARGUMENTATIVE IN OTHER PAMPHLETS,
WHICH HAVE BEEN
LATELY WRITTEN TO THE SAME PURPOSE.

BY HERBERT MARSH, D. D. F. R. S

Margaret Professor of Divinity in Cambridge.

1812.

A LETTER, &c.

DEAR SIR,

MY "Inquiry into the consequences of neglecting to give the Prayer-Book with the Bible," having excited a host of adversaries, who have assailed me in every possible way, and with every possible weapon, it is necessary that I should attempt a vindication of that Inquiry, lest silence should be construed into an inability to answer. But that which chiefly induces me to remain for the present on the field of controversy, is the honor of combating so distinguished a champion as yourself. The second Letter, with which you have lately honored me, contains every thing in the shape of *argument*, which has been advanced by the united efforts of my other adversaries, whether in the form of Speeches, Letters, Prefaces, or Reviews; and contains it unmixed with extraneous matter, which serves only to divert the reader from the subject of discussion, and to confound where it cannot

confute. Indeed one of my adversaries, whose situation it would especially befit, to practise the benevolence which we are ordained to preach, has not only departed from the subject of inquiry, and thus left it precisely where he found it, but has substituted for argument a mass of personal invective, which it would be no less degrading to notice, than it was disgraceful to advance. And I am sure you will agree with me in the opinion, that when an author breathes nothing but the spirit, which the Gospel was intended to *subdue*, he will hardly contribute to the diffusion of the precepts, which the Gospel was intended to *convey*. However extensively we may disperse the *letter* of it, yet if our own example is at variance with its *spirit*, we defeat by our actions what we recommend by our words. The gentleness of its divine Author, and the mild conduct of the Apostles, form a striking contrast with the impetuosity thus displayed by advocates for the Bible Society: and impartial observers will suspect, that men who violate the laws of decorum, are pleading, not for piety, but for power.

Too so much the more advantage does your own pamphlet appear, when contrasted with publications like these. It is true, that the “amiable spirit,” which I commended in your first Letter, is *less* perceptible in your second. But you every-where preserve the character and the language of a gentleman; you have never departed from your subject to compensate, by personality, the deficiency of argument; you have stated with precision the propositions which you intend to combat, and to that statement you have adhered. For *this* reason, no less than for the reasons before assigned, I select your pamphlet, as that which, above all others, is intitled to regard; so much so indeed, that an answer to *your* pamphlet is an answer to *all the rest*. I mean, as far as *argument* is concerned: for

I would not offer so great an affront to the respectable writer, whom I am now addressing, as to introduce into this Letter a reply to objections of any *other* description. Indeed, the public at large can feel no interest in personal abuse from an angry author : and with respect to myself, I trust, that my character is too well established, to make it necessary for my *own* sake, to notice the effusions of spleen or malice. But such effusions cannot fail to lower the authors themselves in the opinion of impartial judges : and, if malice is accompanied with an affectation of *pleasantry*, it cannot fail to excite *disgust* in every man, whose taste is not corrupt, or whose judgment is not perverted. But to proceed, without further preface, to your own Letter, which is of a very different description.

The propositions, which you undertake to combat, you have stated in the following words, in the second page of your Letter.'

"First, that the Bible Society produces a disregard of the Liturgy.

"Secondly, that its foreign operations have been misstated and exaggerated. And,

"Thirdly, that its real objects are of a political, and not a religious nature."

These three propositions being quite distinct, it is of no consequence in what order they are examined. And as the two last require at present very little examination in comparison with the first, and are really unconnected with the decision of the main question, which was agitated in my Inquiry, it will be more convenient to dispose of these two propositions, before we enter on the first, which will then become the principal subject of examination.

The *second* proposition, which relates entirely to the *foreign* department, can have no influence on the decision of a question, which was wholly confined to operations *at home*. For this reason, though I ventured to deny that the Society's exertions in foreign countries were intitled to that high applause, which was bestowed by its advocates, I did not *argue* from that denial, on the subject then before me, but conceded for the sake of argument, and *argued* from that concession.¹ Whether the proposition therefore is maintainable or not, the inference which I deduced from the neglect of the Prayer Book, in the *home* distribution, will remain unaltered. But having once advanced the proposition, though incidentally, and not in proof of any thing *then* depending, I thought it my duty, as soon as I was able, to produce the evidence, on which it was founded. And, that this evidence is now produced, affords me the more satisfaction, as I find from your second Letter,² that the delay, though really unavoidable, was become a subject of complaint. Being now in possession of that evidence, you must be fully convinced, that the proposition I advanced, is perfectly true. You are not ignorant of the splendid descriptions, which the advocates of your Society have repeatedly made of its numerous *translations* into foreign languages; translations indeed so numerous, as to excite the recollection of the miraculous Pentecost, when the Apostles were gifted with the power of preaching to every man in his own language. Compare these splendid descriptions, compare even your own statement in your last Letter,³ with the facts, which I have

¹ See the paragraph, p. 142. No. I. beginning with the word, "But since it is of no importance to the Inquiry now before us," &c.

² Page 167. No. I.

³ Page 168. No. I.

proved by indisputable evidence, and then answer, whether the operations of your Society abroad have not been greatly exaggerated. They have indeed been exaggerated in such a manner, as to exceed the belief of any man, who had not before him the evidence which I have produced. For I have proved, that your Society, according to the last printed documents, on which alone those splendid descriptions could have been founded, *had not translated even the four Gospels into any one language, into which they had not been before translated.* I have proved even, that they had not done it of so much as *two* Gospels. I have proved also, from the same authority, that your Society had not *printed* so much as one entire Gospel, in any one language, into which the Scriptures, or portions of the Scriptures, had not been translated, either before the existence of the Society, or independently of its assistance. And even with respect to new editions of existing translations, I have shown that the want of them was by no means such as the advocates of your Society have pretended.*

The third proposition, which you undertake to *combat*, namely, that your Society's "real objects are of a political and not of a religious nature;" it is not my business to *defend*: for it is a proposition which I have *never advanced*, though you introduce it as one of my allegations.[†] Your ascribing to me the position, that the real objects of the Society are *not* of a religious nature, is the more extraordinary, as the very reason, which I have assigned, why the mem-

* See the work lately published, under the title, "A History of the Translations, which have been made of the Scriptures, from the earliest to the present Age, throughout Europe, Asia, Africa, and America."

† Page 160. No. I.

bers of your Society overlook domestic danger, is, that "they are animated by *religious zeal*." I will quote the whole passage : ' " There is nothing, which so prevents men from seeing the *danger* of an object, as, when in the pursuit of that object they are animated by *religious zeal*. With the prospect of extending the *universal* Church, men find it difficult to contract their views within the limits of a *single* church. With the prospect of promulgating the Gospel to *distant regions*, where its light had never shone, they view, through a glass inverted, the danger *at home*. And to the danger thus diminished, they are ready to close their eyes, if the *removal* of that danger obscures the glory of the prospect." With a knowledge of this passage, how could you declare to the public, that I represented the objects of your Society as being *not* of a religious nature ? You should consider that there are thousands attached to the Bible Society, who will read your letter without reading my reply, who will take therefore my opinions from *your statement* of them, and openly censure me for sentiments, which I have never entertained. Hence the various charges which have been laid at my door by men, who got their intelligence at second hand. I am not surprised at *many* perversions, which have been made of my opinions : I am not surprised, that they who judge of me from the various misrepresentations, to which I have been exposed, should convert, for instance, the danger which I really apprehend from *the omission of the Prayer Book*, into a supposed apprehension of danger from the *distribution of the Bible*. But I really *am* surprised, that so respectable a writer as Mr. Vansittart, should lend his aid in the diffusion of unfounded allegations ; that neither justice nor mercy to an opponent, assailed on all sides, should have suggested the propriety of

extreme circumspection, before he ventured to charge that opponent with asserting what must equally affect *all* the members of the Society, and equally excite the *indignation* of them all.

Having admitted in general terms, that the Society was animated by *religious zeal*, I did not conceal the opinion, that other objects were occasionally *associated* with that religious zeal. It provides, I said; “for temporal, *as well* as spiritual wants.”¹ But I did not *exclude*, as your position implies, the provision for spiritual wants. I did not ascribe to *any* man, and much less to the *whole body*, the mercenary motive of seeking *merely* the promotion of private interest. If this were my opinion, I should hardly have explained the inattention to domestic danger, as arising from a zeal for *religion*. I therefore positively *deny* the position which you ascribe to me: I deny the having *said*, or the having *meant*, that the real objects of your Society were *not* of a religious nature. The question, whether motives of private interest do not sometimes operate *as well* as motives of religion, in inducing men to join your Society, is quite distinct from that *general* position, which excludes religious motives *altogether*; which excludes them not from *one* only, but from *every* member of the Society. I asserted nothing more, than a *partial association of temporal objects*, which you have thought proper to convert into a *total exclusion of religious objects*. And though you represent that assertion as a *principal* subject of the Inquiry, it was introduced only incidentally in the following manner. The principal subject, namely, the danger of neglecting the Prayer Book, was finished with the eighth section. The ninth and last section related to a change in the *constitution* of your Society, which would remove every

objection which I had made to it : but apprehending, that the temporal, as well as spiritual advantages, derived from the operations at home, would present an obstacle in the way of such a change, I stated what, in my opinion, those advantages were. You deny indeed, that the Society really *has* the advantages, which I ascribe to it, and accompany that denial with such strong indications of personal displeasure, that I cannot pass it over in silence.

I stated three ways, in which your Society provides for temporal wants, namely, “ it gives *power* to the Dissenter, *popularity* to the Churchman, and *interest* to the Politician.” That the Dissenters should derive *power* from a Society, which brings them to act with Churchmen on such a principle, as surrenders what *distinguishes* the Church, is a matter too obvious to require illustration. No man surely can doubt, that there is such a thing as a *dissenting interest*, and that the more this interest is courted, the more powerful it will be. That Churchmen, who promote the Bible Society, thereby obtain *popularity*, while they who venture to oppose it are loaded with every species of abuse, can surely, after the late events, require no demonstration. And that the politician promotes his *interest* by joining the Bible Society, must be likewise obvious to every man, who has the least knowledge of the world. But you are offended with this observation, as if I meant to apply it to yourself. Now the interest, of which I was speaking, is such as you cannot *want*. But if you were member for a *county*, in which a large proportion of the voters were *Dissenters*, your zeal for the Bible Society would certainly have insured you for the next general election, against any candidate who had *opposed* the Society. But though you would *derive* this temporal advantage, I should not therefore deny, that you were actuated by *religious* motives. Nor have I denied it of *any* man. I can easily see, when temporal advantages are

obtained : but I can never see, whether they are exclusively or conjointly the *motives* to action : and therefore, though I asserted the *existence* of those advantages, I never argued from them to motives, which must be left to every man's own conscience. Why therefore should you be so displeased ? You even accompany the denial of those advantages, with the observation, " which, however, I am sorry to say is not the case." If you are *sorry* it is not the case, you must rejoice in finding that it *is*. Yet you are so angry as to say, that I have here had recourse, to " not only one of the most *vulgar*, but one of the most *dangerous* arts of controversy." Now the character of vulgarity is *coarseness*, which surely does not apply to my remark. It was rather keen, than blunt ; and that it has touched a tender point, is clear from the irritation, which it has produced. The *danger* of my remark consists, I find, in its capability of being "*retorted with effect*." You say that "*temporal*, as well as *spiritual* wants, may be provided for by the profession of a distinguished zeal for the interest of the Church." But surely you must know, that in the present instance, it cannot be "*retorted with effect*." For if I had been then actuated by the desire of recommending myself to high ecclesiastical honors, I should have taken the side, which was chosen by my opponents. But I have obtained what depends on no man, the satisfaction of having acted from the suggestions of *duty* ; whether I am mistaken or not, I have acted from my own conviction, which alone is the rule of an honest man ; and I would not exchange this satisfaction for the reflections arising from a contrary conduct, though it were rewarded with rank, popularity, and power.

Let us now proceed to that, which constitutes the main subject of my Inquiry, *the Consequences of neglecting to give the Prayer Book with the Bible*. As we are still at

variance on this important subject, and there is no prospect of our coming to an agreement, while the preliminaries themselves remain unsettled, I must first examine, whether you have formed a correct opinion on the *kind* of importance which I attach to the Prayer Book. For if your *premises* are inaccurate, the same inaccuracy will attend your *conclusions*. I will quote therefore the following passage from the sixth page of your second letter (p. 162. No. I.) which contains a statement of the sentiments, which you *ascribe* to me, respecting the Bible and Prayer Book. "Such a claim of equality with the Bible, the venerable and holy men, who compiled our Liturgy, would have disclaimed with horror. There is no point, on which they more firmly insist, than upon the complete and absolute sufficiency of the Scriptures, in matters of faith: this indeed is the very basis of the reformation; while the authority of the Church in points of doctrine is no less avowedly the foundation of Popery. The danger of the perversion of Scripture, on which you so much insist, is the very argument used by the Papists in defence of the denial of the Bible to the Laity. And indeed to such a length do you carry your argument, that I know not what answer you could give to a Catholic doctor, who should justify the practice of his Church by your authority."

Now by process similar to that which you have here adopted, I would undertake to confute any proposition in Euclid. I have only to substitute the word *equal* for *unequal*, and the business is done. For instance, if I set out with the position, that the interior angle of a triangle is *equal to*, instead of *less than*, the opposite exterior angle, I shall deduce the inference, that the three angles of a triangle are *more* than two right angles. In like manner, you set off with the no less groundless position, that I put-

in for the Prayer Book "a claim of *equality* with the Bible:" and in like manner you come to a conclusion similar to that, which relates to the triangle. It is no wonder, that you *appear* to have answered my objections, if you place them in a false light: for there is no argument whatever, which may not, by suitable *alterations*, be rendered capable of confutation. That I claim for the Prayer Book an *equality* with the Bible, is an assertion, made not only *without* authority, but in *direct contradiction* to repeated declarations in that very book, which you profess to answer. If "without the Bible *the Liturgy has no support*," as I declared at p. 115; if the validity of its doctrines depends on their being "*correctly derived from the Bible*," and the Bible is "the *only* foundation of religious truth," as I declared at p. 126, have I not reason to complain, that you should represent me as claiming for the Prayer Book an *equality* with the Bible? I have called indeed the Prayer Book a proper *companion* for the Bible,¹ and have accordingly urged their joint distribution. But does this imply an *equality* between them? As well might a subject suppose himself equal to his sovereign, because he was admitted into *company* with his sovereign. Nor can I discover in the two pages, to which you refer, namely, p. 110 and 124, the smallest foundation for what you have been pleased to say of me in the passage above quoted. The latter of those two places contains the sentiments of *Bishop Beveridge* on the importance of the Liturgy, to which you must object, if you object at all. And in the former place, though I argued against *Chillingworth's* "notion of *generalised* Protestantism, which admits of no reference to any *particular* Creed," I argued not, as you contend, in the spirit of *Popery*, but on the very principles,

¹ Page 100. No. 1.

which were maintained by our *Reformers*. For if our *Reformers* had been of opinion, that there was no necessity for Liturgy and Articles, they would not have *composed* our Liturgy and Articles. Whether they acted *rightly* in so doing, is a question, on which I hope we are not at issue. And if we are not, you cannot consistently appeal to our *Reformers* for the purpose of overturning my arguments. I plead for the book, which our *Reformers* composed, and urge its *distribution* on the *same principles* on which they recommended its *acceptance*. I urge the distribution of it, not as being *equal* with the Bible, but as being in *conformity* with the Bible. Our *Reformers* did the same : and consequently, if there is Popery in *my* reasoning, there was Popery in *theirs*. The inference to be deduced from your reasoning, I leave to be made by yourself.

But you suppose, that my objection to Chillingworth may be rendered nugatory by an appeal to the *Homilies*, from which you quote two long passages to prove (what I never doubted) the sufficiency of Scripture to salvation, and then triumphantly ask, “Could the men, by whom such passages as these were written, have foreseen, that in the Church, which they founded, it would be considered as an offence to distribute the Bible unaccompanied by any human work? Could they, humble as they were pious, have been supposed to claim, on behalf of their own writings, an equality with those Scriptures, by which they were guided, and for which some of them laid down their lives. Yet this claim of equality is all, which the members of the Bible Society, who belong to the Church of England, deny.” Here I beg leave to ask in my turn, whether the objection, which I made to *Chillingworth*, implied an objection to any thing contained in the *Homilies*. I had asserted in the Address to the Senate, that Churchmen

should distribute *both* Bible and Prayer Book. In your first letter, which was published as an answer to that Address, you quoted Chillingworth for the position, that the Bible *only* is the religion of the Protestant. But did I *deny* this position in that "Inquiry," which your second letter is intended to confute? Certainly not. On the contrary, I said explicitly, "Equally *true* is the general proposition, that the Bible *only* is the religion of the *Protestant*." ¹ You quote therefore from the Homilies to prove what was previously *admitted*. It was the *application* of that position, not the position *itself*, which I contested. I argued against the conclusion *deduced* from that position; I denied, that, because the Bible only was the *religion* of the Protestant, it was a necessary consequence, that the Bible only should be *distributed* by the Protestant. And if this conclusion was not *intended* to be deduced, for what purpose did you *appeal* to Chillingworth? If my argument for the *joint* distribution of Bible and Prayer Book is to be confuted by his position, that the Bible *only* is the religion of the Protestant, that position must be extended to the act of *distribution*, or it is no contradiction of what I asserted. Either therefore you quoted Chillingworth without any meaning, which I cannot suppose, or you must have quoted him for the purpose of defending the practice of your Society, the distribution of the *Bible alone*. And that this was really your object is manifest from the question which you have again asked in the passage last quoted, whether our Reformers could "have foreseen that in the Church, which they founded, it would be considered as an offence *"to distribute the Bible unaccompanied with any human work?"* Now to say nothing of the word *offence*, which

serves only to place my argument in an odious light,¹ the question itself, which is asked *in opposition* to my argument, is sufficient evidence, that you meant to *vindicate* the distribution of the Bible alone. You endeavour indeed to justify your opposition by repeating what I have already confuted, that when I contend for the joint distribution of Bible and Prayer Book, I place them on a footing of equality, and you add, that “this claim of *equality*, is all, which the members of the Bible Society, who belong to the Church of England, deny.” Now if this is *all* that you deny, what reason was there for your two letters to me? What occasion was there for all the declamation against me, which has been made at your auxiliary meetings? Both in the Address and in the Inquiry, the equality which you deny, was not only never asserted, but openly and explicitly *disavowed*.

Under such circumstances, I think that common justice requires an acknowledgment on the part of my adversaries, that they have been guilty of a wanton attack. The plea of *equality*, which is urged in vindication of it, is so obviously devoid of foundation, that no man could have resorted to it, except in a case of desperation. But I perceive, that the advocates for the Bible Society, when they are driven from a post, which they regarded as impregnable, take refuge in a position which they had represented as untenable. They conjure up the spirit of our Reformers to bear testimony to the *offence* of urging the distribution of the Bible in company with a *human* work, and then

¹ I asserted that Churchmen did not do their *duty*, if they neglected to give the Prayer Book with the Bible. The *offence* which was taken, was taken by the *advocates* of your Society, in consequence of my *urging* the just distribution.

appeal to experience, to prove that they do not *impede* the distribution of this human work. Now if it is Popery to *object* to the distribution of the Bible alone, a genuine Protestant must regard it as an *excellence* in your Society, that it *promotes* the distribution of the Bible alone. He must value it for this very reason, that it has *no tendency* to associate "divine perfection with human frailty." With what consistency therefore can any man, who had condemned me for *urging* the distribution of the Prayer Book in company with the Bible, now vindicate the Society on the ground, that its tendency is the reverse of that which I ascribed to it?

But I will not quarrel with my adversaries on the score of consistency, if they at length admit, that I was right in contending for the joint distribution of Bible and Prayer Book. And this they *must* admit, if they now assert, in defence of the Society, that it has *not* a tendency to produce a neglect of the Liturgy. On the other hand, you will say, if I was right in the principle, I was wrong in the *application* of it. You contend, and my other adversaries at present do the same, that experience is *against* me; that the *practical* effects are at variance with my *speculative* conclusions. If such is really the case, I must admit, that my principal objection to your Society will be removed. I objected to it on the very ground of its *having* a tendency to bring the Liturgy into neglect; and for this very reason I instituted an inquiry into the *consequences* of such neglect. When I applied the principle to your Society, I not only thought that the *arguments* which I used would warrant the application, but that those arguments were corroborated by matter of *fact*. Nor do I perceive, that you have attempted to invalidate either my reasoning on this subject, or the examples, to which I appealed in confirmation of it. It is true that you have likewise appealed to a *fact*, which you consi-

der as alone sufficient to disprove the tendency, which I ascribe to your Society ; and that I may do justice to your statement, I will give it in your own words. But I must previously observe, that in combating my position respecting the tendency of your Society, you have exhibited another instance of that unfairness, of which I have had occasion to complain more than once already. Whoever undertakes to *confute* a proposition should strictly adhere to the *terms* of the proposition ; for if he substitutes *other* terms, which have a different import, it *ceases* to be the proposition which he professes to confute. In the *seventh section* of the Inquiry, which was devoted to this subject, I particularly used the word *neglect*. I said, p. 137. No. I. " Shall we recommend it therefore to Churchmen to become members of a Society, which not only has a tendency to bring the Liturgy into *neglect*, but which already, as we know by experience, produces *that effect*." Again in the same page I said, " And what are those general effects but to bring into *neglect* the bulwark of the established church ?" In what manner this *neglect* operated I had previously explained in p. 135. No. I. " as diminishing the *frequency of its distribution*." And the very title of the pamphlet was an Inquiry into the consequences of *neglecting* to give the Prayer Book with the Bible. But for the word *neglect* you have substituted the word "*disregard*:" and hence the leading proposition, which you propose to confute, and which is the first of the three above stated, runs thus, " That the Bible Society produces a *disregard* of the Liturgy." Now a man may *neglect* the distribution of the Liturgy, without having an absolute *disregard* for it : he may *neglect* that distribution for want of knowing the *consequences* of that neglect. To such persons, and to such persons *only*, could I be supposed to address myself, when I explained those consequences : for men who have

an absolute *disregard* for the Liturgy, would be induced by a consideration of those consequences to *persevere* in the neglect, of which I complained. Requesting, therefore, that your words may be properly corrected, I will now state your *fact*, as you have given it in p. 161. No. I. "Of the *disregard* to the Liturgy, which you suppose to have been produced by the Bible Society, if real, the Reports of the Society for promoting Christian Knowledge must bear conclusive evidence. We shall in that case find, that during the growth of the Bible Society, the demand for Prayer Books for distribution has been gradually lessening. But what is the fact? The number of Prayer Books delivered by the Society for promoting Christian Knowledge to its members, on an average of the three years immediately previous to the institution of the Bible Society, (viz. 1802-3-4) was 13,426; the average of the last three years was 19,815, being an *increase* of nearly one half." As this *fact* has not only been copied by another of my adversaries, who produces it with the triumph of a victor already trampling on his foe, but has really made some impression on the minds of men, who have discernment as well as zeal, it is intitled to particular attention. The question to be examined is, not whether the *fact itself* be true, but whether it *disproves* the *tendency*, which I ascribe to your Society. I will take for granted that your average is correct; that the distribution of the Prayer Book at Bartlett's Buildings has *increased*, and increased in that proportion which you have stated. But the increase of distribution by *one* Society is perfectly compatible with the tendency to its diminution by *another* Society. I will illustrate this by an example with which you are well acquainted: The Exports from this country to the *Continent of Europe*, during the three years which *followed* the Berlin and Milan Decrees, amounted to more than *sixty-five* millions,

whereas during the three preceding years, these Exports amounted to less than *fifty-four* millions. But I think no Statesman would conclude from this circumstance, that the Berlin and Milan Decrees have no *tendency* to diminish the exports of this country even to the *Continent of Europe*. You would hardly argue in this case as you do of the Bible Society, and say, "If the Berlin and Milan Decrees have a tendency to diminish the trade with the Continent, the Reports of the Inspector General, laid annually before the House of Commons, must bear decisive evidence. We shall in that case find, that during the continuance of these decrees, the Exports to the Continent have been gradually lessening. But what is the *fact*? The average of the three years which followed those decrees, has *exceeded* by nearly one fourth the average of the three preceding years." You yourself must admit that such reasoning would be fallacious. If you express yourself in *general* terms, without a reference to any particular object, you will still more clearly perceive the fallacy of your reasoning. Substitute A. and B. for the two Societies, and the argument will stand thus. A. increases its motion in *one* direction: therefore B. has no tendency to move in an *opposite* direction. Here you see at once that the premises and the inference have *no connexion*. What then becomes of your argument, and where is the use of your *fact*, the mighty *fact*, which is supposed to have laid my whole edifice in ruins. I did not assert, that the tendency of your Society to occasion a neglect of the Liturgy would produce the same effect at *Barthol's Buildings*. On the contrary, the very circumstance, that the Liturgy was neglected by the former, would suggest the necessity of increased attention to it by the latter. Well then (you will say) if the desired effect is only produced, it follows that no harm is done. If the motion of A. does but in-

crease sufficiently to *counteract* the tendency of B. the apprehended evil is prevented. True; but the argument then implies the *existence* of the tendency. And should not every Churchman prefer a Society, which has *no* such tendency? Is it not better to be *free* from defect, than to *have* one, however capable of remedy? And how advantageously does the Society for promoting Christian Knowledge appear from your very argument, which represents this Society, not only as *free* from the defect, of which I complain, but as *correcting* that defect in the *other* Society?

But however true it may be, that the distribution of Prayer Books at Bartlett's Buildings has increased in the proportion of nearly three to two, this is not the *only* proportion which we must take into the estimate, in order to judge of the tendency of your Society. If, as I contend, it is the duty of Churchmen to distribute *both* Bible and Prayer Book, the defect, of which I complain, can be remedied only by *such* an increase in the distribution of the Prayer Book, as shall be proportioned to the increase in the distribution of the *Bible*; *of* the Bible, namely, as distributed among *Churchmen*. And an increase, according to *this* proportion, the Society for promoting Christian Knowledge has at present not the *means* of effecting.¹ We distributed last year more than twenty thousand Prayer Books; but then we distributed more than twenty thousand Bibles and Testaments. Your Society, according to the last Summary Account, distributed above a hundred

¹ The common annual subscription to the Society for promoting Christian Knowledge is *one guinea*: the common donation at admission is *two guineas*. But when Churchmen contribute to the Bible Society, their generosity extends to benefactions of ten, twenty, thirty, forty, and fifty guineas.

thousand Bibles and Testaments in the same year. And if only two thirds of them were English and Welsh, and only one half of that number were given to Churchmen, at least thirty thousand Churchmen were provided last year with a Bible or Testament, not one of which was provided by either Society with a Prayer Book. For our Society has been *hitherto* unable to do more for the distribution of the Liturgy, than keep pace with its *own* increased distribution of the Bible and Testament. That the Prayer Book therefore is neglected, and in a manner which it ought not to be, by *Churchmen*, appears from actual *experience*.

But I can state a *fact*, which bears still more strongly on the present subject. There is no place where the effects of your Society are more likely to have been felt, than the printing office at Cambridge, which has been particularly *employed* by your Society. The records, therefore, of our printing office afford the best criterion of judging of its effects. In the *eight* years which have elapsed since the formation of your Society to the beginning of the present year, the number of Bibles and Testaments printed at our office have amounted to 531,800 : the number of Bibles and Testaments printed in the *eight preceding* years, namely, from 1796 to 1803 inclusive, amounted to 201,000. The increase therefore in *Bibles and Testaments* has been in the proportion of more than five to two. But has the number of *Prayer Books* increased in the same proportion, or has it increased at all? Quite the contrary. The number of Prayer Books printed at our office in the eight years which have *followed* the formation of your Society has amounted only to 140,900 ; whereas the number of Prayer Books printed at our office during the eight years which immediately *preceded* the formation of your Society, amounted to 161,750. Here is not only a proportional, but an *absolute* decrease in the number of Prayer Books : a decrease of

more than *twenty thousand* since the formation of your Society, compared with the *same period* preceding it. Nor must I omit to mention, that in 1802 and 1803, *no* Prayer Books were printed at our office, the 161,750 having been printed in the *six* years from 1796 to the end of 1801. So much fairer was the opening for the printing of Prayer Books in the eight *following* years : and surely *eight* years afford a very fair trial. There is also another circumstance which must not be forgotten. Though the number has decreased in the *last eight* years, it had been previously *off* the *increase*. In the four years ending with 1795, the number of Prayer Books printed at our office was 101,500 ; in the four years ending with 1799, the number was 116,750 ; and in the four years ending with 1801, the number was 133,000, which is nearly as many as have been printed in *double* that time since the formation of your Society. Whether we judge therefore of its tendency by argument or by fact, the inference is in my favor.¹

¹ Mr. Simeon, who has addressed me in a tone of defiance not usual among gentlemen, except in repelling a gross *personal* attack, says, page 2, that my "argument is altogether founded on an assumption of a fact *as true*, which, if inquired into, will prove *false*;" this fact, as he himself states (p. 5), from a passage of my Inquiry is, "the practice of neglecting to give the Prayer Book with the Bible;" on which he says, no one but myself "has had the *hardihood* to affirm the existence of such a fact, and much less to assume it without a shadow of truth." At p. 40, after a long dissertation about Calvinism, he returns to the charge, and quoting a passage from my Inquiry, where his Society is described as one "which not only has a *tendency* to bring the Liturgy into neglect, but already, as we know by experience, *produces* that effect," he immediately adds, "The reader is requested to take especial notice of these words : for *on your proof of this assertion I am content to rest the whole question*."—Now when a Society, by its very constitution, *excludes* the distribution of the Liturgy, we should suppose, that to a common understanding no proof would be *wanted* that such a Society had at least a *tendency* "to bring the Liturgy into neglect." And

But before I conclude the examination of *facts*, which have been represented as fatal to my whole Inquiry, I must notice one of a different description, though produced by another opponent, lest any thing, which bears the *name* of fact, should be considered as valid for want of notice. It is not the result of *calculation*, nor of the actual *distribution* of the Prayer Book, but is designed as the foundation of an argument to disprove the tendency in question. At New York, it seems, there is a Bible Society, and a *Bible and Prayer Book Society* : both of these Societies have applied for assistance to your Society in London, and both of them have *received* assistance ; whence it has been inferred, that

that such a Society, in its corporate capacity, *does* neglect to give the Prayer Book with the Bible, must either be *true*, or the Society is not what it *pretends* to be, a Society for the distribution of the Bible *alone*. Where then was the *hardihood*, as Mr. Simeon is pleased to call it, of affirming, that such neglect *existed* ? Where was the absurdity of inquiring into the *consequences* of that neglect ? But if Mr. Simeon really wanted *facts* to prove the tendency in question, the Inquiry itself contained facts of this description : for every instance, in which the distribution of the Bible alone, or without the Prayer Book, is *vindicated*, is an instance of a *fact*, which *corroborates* that tendency. What are the numberless examples of objection to the position, that Churchmen should distribute *both* Bible and Prayer Book, but so many proofs of a tendency toward a neglect of the Prayer Book ? Mr. Simeon's appeal to the increased distribution of the Prayer Book at Bartlett's Buildings, I have already shown to be perfectly irrelevant to the tendency of *his own* Society. But my appeal to the Printing office at Cambridge, which has been devoted to the service of the Bible Society, exhibits a *fact*, which is perfectly *in point*. It is not the distribution at Bartlett's Buildings, but the number printed at Cambridge, which affords the *true criterion* for judging of the effects of his Society. And as Mr. Simeon (p. 41) "*dares*" me to the production of a proof, and is "content to rest the whole question" upon it, I hope he will be satisfied with the **FACT**, the incontrovertible **FACT**, that since the Institution of his Society, the number of Prayer Books printed at Cambridge is more than **TWENTY THOUSAND** less, than the number which was printed there during the same period, *previous* to the formation of his Society.

the British and Foreign Bible Society, even in its corporate capacity, does not discourage the Prayer Book. But when all the circumstances are known, this *capital* fact will appear in a very different light. To the New York Bible Society the sum of 100*l*. has been voted; the same sum has been voted to each of the following Societies: the Connecticut, the Massachusetts, the New Jersey, the Charleston, the Maine, and the Georgia Bible Societies, and to the Philadelphia Bible Society, 200*l*.¹ Here I shall not inquire into the wisdom of sending money out of this country to supply the citizens of the United States, who are no less able to *subscribe* for the purchase of Bibles, than the auxiliary Societies at home; but shall remark only the *distinction* which was made between the Bible Societies and the Bible and Prayer Book Society. This Society petitioned like the rest for money, and declared that “any grant of money would be faithfully appropriated to the purchase and distribution of Bibles only.”² But did your Society *consent* to vote money, as was desired, and was done to the Bible Societies in the United States? Did your Society *trust* to the declaration, that no part of the grant should be employed on Prayer Books? No! You voted indeed the *worth* of 100*l*., but you voted it in Bibles and Testaments.³ I do not say, that the caution here observed, and the exception here made, were inconsistent with the principle, on which your Society is founded. But the example should not be quoted as an instance of *regard* for the Prayer Book.

¹ See the account of the sums voted, in the fifth, sixth, and seventh Reports. What additional sums were voted last year, I cannot say; I judge only from documents already printed.

² See the letter of Bishop Moore, the President of this Society, printed in the seventh Report. App. p. 41.

³ Seventh Report, App. p. 134.

Having considered the *facts* which have been alleged to disprove the tendency in question, I will now consider the *arguments* which you produce for the same purpose.¹ “Instead of leading to a disregard of the Liturgy, I have no doubt, that among Churchmen the Bible Society tends to recommend and endear it. It is, I think, impossible to engage seriously in the concerns of the Society, without imbibing some portion of the spirit by which it is actuated, and without acquiring a deeper sense of the inestimable value of the Scriptures, and of their practical and personal importance to ourselves. We cannot be earnest in recommending the Bible to others, without applying it to our own hearts; and we cannot do so without becoming better Churchmen, because better Christians and better men.” I perfectly agree with you in the opinion, that a man cannot “engage seriously in the concerns of the Society without imbibing *some portion of the spirit*, by which it is actuated:” but that the spirit of a Society, which constitutionally *excludes* the Liturgy, should have a tendency *in its favor*, appears to me a perfect paradox. If you become “better Churchmen, *because* better Christians and better men,” what will the *Dissenters* say, who are members of your Society, and who feel its benign influence *without* becoming Churchmen? Is not *their* Christianity improved by the Bible Society as well as your *own*? And if it is, might we not expect, according to your reasoning both here and elsewhere,² some indications of a favorable disposition toward the Liturgy, among the dissenting members of your society? Might we not expect, as the great body of Dissenters belong to it, some favorable change in the course of eight

¹ Page 174, No. I. where you solemnly say “I deny your minor.”

² You say, page 164, No. I. they must learn to respect what they know to be held in veneration by men whom they esteem.

years? Might we not expect that the number of Dissenters would have diminished since the formation of the Bible Society? But is this the *fact*? Is it not notorious, that since that period the number of Dissenters has very materially *increased*? Is it not therefore absurd, to talk of the Bible Society as having a tendency *in favor* of the Liturgy? Is it not absurd to suppose that a Society, founded on the *exclusion* of the Liturgy, should have a tendency to *promote* it?

Another argument, which you produce, is merely an *argumentum ad invidiam*. I do not question the sincerity of your professions, when you express your regard for the Liturgy of the established church: but if, as advocate of a Society, which in its corporate capacity *excludes* the distribution of the Prayer Book, you have recourse to reasoning, which I think injurious to the church, I may be permitted, with every feeling of *personal* respect, to state my objections. I have contended in *general terms*, that your Society does not make such provision for the distribution of the Prayer Book, as Churchmen *ought* to make: but I have introduced no personal remarks on this subject, and consequently there is no need of personal defence. But you really endeavour to place me in an odious light, by confounding general objections with personal imputations: and because there are respectable prelates, who are members of a Society which I disapprove, you are disposed to insinuate, that I am thus guilty of individual affront. With equal and indeed greater justice might I contend, that as the great majority of our Prelates have *not* joined your Society, every argument which you use in favor of it, is an imputation upon *them*. You say at p. 173, No. I. “The *friends* of the British and Foreign Bible Society, who trust in the discretion of the Prelates who *support* it, and conclude that an institution sanctioned by their authority *cannot* be injurious

to the church, &c.” What answer therefore could you consistently make, if I should say in similar language, “The *adversaries* of the British and Foreign Bible Society, who trust in the discretion of the prelates, who *refuse* to support it, and conclude that an institution, *not* sanctioned by their authority, *may* be injurious to the church, &c.” But such personal considerations have no concern with the general question. And as you may fairly vindicate your Society without offence to those, who have *refused* their assent, I may fairly state my objections, without offence to those, who have *given* their assent. Indeed, when the welfare of the established church is concerned, I should very ill discharge my duty as Professor of Divinity, if respect for any individual, however good or great, could deter me from declaring the danger which I really apprehend. On this occasion, however, you have availed yourself of a privilege, which the advocates of the Bible Society particularly claim, that of altering the terms, which are used by their opponents.” On this occasion the substitution of “*disregard*” for “neglect,” of which I have already complained, is of singular advantage. No Prelate can be justly offended with the supposition, that he does not *perceive* the consequences of neglecting to give the Prayer Book with the Bible : it is the supposition only of an *oversight*, from which the wisest of men are not exempt. And I have reason to believe that one of those respectable Prelates, whom you name at p. 174, No. I. who, like yourself, is a Vice-President of your Society, was *not* offended with the supposition, since he applied to Bartlett’s Buildings, very soon after the publication of my Inquiry, for not less than *two thousand* Prayer Books, to be distributed in company with the Bible. But change only the terms, and say that I *ascribe* to the Prelates, who are members of your Society, an *actual disregard* for the Liturgy, and you furnish them at once, if they judge from your statements, with cause of

offence.¹ This may answer the purpose of exciting indignation against the *person* of your adversary : but it would be more candid, as well as more to the purpose, if you confuted his *arguments*.

That a Society, which constitutionally *excludes* the distribution of the Liturgy, has no tendency to occasion a *neglect* of that distribution, is a proposition, which really involves a contradiction. Indeed your second letter, though it professes to *disprove* that tendency, serves only to *confirm* it. You still *vindicate* the practice of distributing the Bible alone, though every instance of such vindication is a *fact*, which proves the truth of my assertion. You appeal to the Naval and Military Bible Society, which likewise distributes only Bibles, to justify the same restricted distribution on the part of your own Society : and as far as an *argumentum ad verecundiam* extends, I cannot deny, that from this appeal you derive particular advantage. The Archbishop of Canterbury is President of that Society, and the Bishop of London is one of the Vice Presidents. Neither of these distinguished Prelates has honored your Society with his name and patronage : but by introducing them as presiding over *another* Society, which confines its distribution to the Bible, you claim them as promoters at least of the *principle*, on which your Society is founded. Now the Naval and Military Bible Society commenced in 1780, at a time and under circumstances, when the consequences of neglecting to give also the Prayer Book were not so apparent as they are at present. And I have no doubt, that, if an institution were to be *now* formed for supplying the army and navy with Bibles, it would be made an indispensable condition by *both* of those dis-

¹ In the page to which I have referred, you say "The same gratuitous supposition of *disregard* to the Liturgy, &c.

tinguished Prelates, that the Prayer Book should be distributed as well as the Bible. Indeed no reason can be assigned, why our soldiers and sailors, who belong to the established church, should be left unprovided with the Prayer Book. The opinion of Government on this subject has been lately shown in a very conspicuous manner: for in the month of March last, the Admiralty impressed, as it is termed, *fifteen hundred pounds*, which will be continued annually, to the Chaplain-General, for the purpose of procuring books, including Prayer Books with Bibles, from the Society for promoting Christian Knowledge.¹ And you yourself have afforded a very cogent argument for the distribution of the Prayer Book among our *soldiers*, by reminding me, that in the time of Cromwell, “it was a *fanatical* army which overturned *both the altar and the throne.*”²

Another mode of defending the principle, on which your Society is founded, consists in the contemplation of that *happy state*, which it is calculated to produce when we shall “be so refined from all party prejudices and interested views, so softened by the spirit of charity and mutual conciliation, and so controlled by agreement in the leading principles, and zeal for the general interests of Christianity, that no sect or persuasion should be tempted to make religion subservient to secular views, or to employ political power to the prejudice of others.”³ You are

¹ The *gratuitous* distribution to the Navy has cost this Society during the last seven years 3361*l*.

² Page 173. No. I.

³ P. 175, No. I. In a similar strain, says Mr. Lancaster, “Above all things, education ought not to be subservient to the propagation of the *peculiar* tenets of any sect. Beyond the number of *that sect* it be

manifestly pleading for a repeal of the Test Act, to which I declared in the Inquiry, that the progress of your Society would ultimately lead. You again therefore *confirm my* positions by your attempts to confute them. You even add, a few lines after the passage just quoted, that you “believe the Bible Society to have a strong tendency to produce such a state of things,” as you had been just describing. And you conclude by saying, “In *this way it may* become a means of removing the Test Act.” You deny indeed, that it can become so in any *other way* : but if your Society produces the *effect*, it is hardly worth our while to dispute about the *means*.

Indeed your last Letter, confirms, almost in every particular, the truth of what I asserted in the Inquiry. I there said,¹ in reference to the co-operation of Churchmen with Dissenters, in the Bible Society, “While it provides against *contingent* evil, it creates a *present* one ; in the hope of preventing *political* mischief, it undermines the established

comes *undue influence*, like the strong taking advantage of the *weak*.” Indeed the Bible Society and the Lancastrian System are founded on the *same principle*, as I fully explained in the fourth section of the Inquiry. And even four months before that Inquiry was published, the Committee for promoting the Lancastrian System published a letter addressed to the Members of the British and Foreign Bible Society, in which they say they “feel confident that they are addressing persons, who can fully appreciate the value of efforts, which are solely directed to *the advancement of those views for which the Bible Society* was instituted.” And in p. 2, they add, “According to *the practice of the Bible Society*, in distributing the sacred text without note or comment, *so* has ever been the practice of Mr. Lancaster.” This letter is dated September, 1811, and is signed by Mr. Joseph Fox, and other principal members of the Lancastrian Committee. The resemblance therefore cannot have been suggested by my Inquiry, which was published in the following month of January.

¹ Page 146. No. I.

religion ; without receiving the smallest compensation, it *surrenders* the interest of the church, by bringing Churchmen and Dissenters to act upon a common principle, which excludes what is *essential to the Church*." Let any man compare this sentence with what you have replied in your last Letter, and determine whether any apprehensions are ungrounded. You represent the Bible Society, as an institution "in which the Churchman and Dissenter meet to *lay aside* their prejudices ;" ¹ you describe it as "a plan founded on the *surrender* of ancient prejudices." ² Here let me ask, *whose* "ancient prejudices" are thus surrendered in your Society. It cannot be the prejudices of the *Dissenters* ; for *they* surrender *nothing*. Those "ancient prejudices," therefore, as you call them, must be the ancient prejudices of *Churchmen* ; they must be the ancient prejudices in favor of the *Liturgy* ; and *these* prejudices really *are* surrendered ; but it is a surrender of the Established Church. Can you wonder, therefore, that a Professor of Divinity should *object* to your Society. ³

¹ Page 172. No.

² Page 181. No. I.

³ I will here quote a passage from the British Review, (No. IV. p. 447.) because you consider it (p. 182.) as "one of our ablest periodical works." Speaking of the Methodists, the writer says : "They may be assured that their professed attachment to the principles, to the faith, and liturgy of our Church, would in itself be sufficient to unite all other Dissenters, however inconsistent in other respects, in a common cause, for their destruction. And have they read the instructive page of history ? If they have, they may surely derive a lesson from the past conduct of the sectaries, with whom they are now connected, when possessed of power and authority. The individuals are changed, but the spirit of the sects is the same. Into the particulars of that conduct we will not now enter. Let them, however, be diligently inquired into, and seriously reflected upon, by those,

But my objections, it seems, are to be overruled by *menaces*. You say, ' "The voice of the public is now *with* the Church: it may, by a pertinacious resistance to reasonable expectations, be turned *against* her." And a few lines afterwards, you add: "The cause of the Church may likewise suffer, in no inconsiderable degree, from ill-judging advocates. If her alleged defenders insist on arguments

to whom we are thus offering a friendly admonition. Let them beware of their new associates, of whom they are at this time, in a great degree, the dupes and instruments, and of whom they may possibly become the victims." From this passage you will see, that even the *British Review*, when the *Bible Society* is not immediately under consideration, entertains the same general sentiments as were advanced in the *Inquiry*. Indeed the writer expresses himself in terms, which I should not have ventured to use. For he adds: "We have a scrupulous and tender regard for the *dissenting conscience*, and the highest respect for the character and conduct of many enlightened Dissenters. But we have no respect or regard whatever for what may be called the *dissenting interest*, that is, for those who make a cloak of religion, to cover their private purposes, and to obtain for themselves the power and influence of a party. And we have the utmost contempt for those persons, *not Dissenters*, who flatter and encourage what they must believe (if they are honest men) to be dangerous error, and who condescend to purchase by duplicity and hypocrisy the rewards of popularity." At p. 115, the same writer says, again speaking of the Methodists: "in pursuance of this system they have become connected with the body of real Protestant Dissenters, the far greater part of whom are actuated by a spirit of decided hostility to the Established Church; and in whose minds, if there exist any sentiment, as strong as hostility to the Church, it is contempt for those with whom they are thus associated." These passages are the more remarkable, as being contained in a *Review*, conducted indeed by Churchmen, but by Churchmen who are zealous friends of the *Bible Society*.

so repugnant to the common sense and feelings of mankind, that they can only be supported by treating the clearest and simplest subjects, as the most intricate and perplexed, the ridicule, which must attach itself to such arguments, however ingeniously maintained, cannot fail, in a certain degree, to be reflected on the Church." Now, whether I am an *ill-judging* advocate, whether I am only an *alleged* defender, whether my arguments are *repugnant to common sense*, whether I reflect honor, or bring only *ridicule* on the Church, are questions, which I shall leave to the decision of the public, though not without expressing my obligations for your proposal of them. But the "*pertinacious resistance to reasonable expectations*," which you say will turn the voice of the public against the Church itself, is a matter of serious concern to us *all*. If these "*reasonable expectations*," meant only the expectations, that beneficed clergymen should reside on their livings, (to which you had incidentally alluded in the preceding page) I should readily admit, that *such* an expectation was a *reasonable* one; and I should admit it, not merely, because I myself have nothing but a sinecure rectory, attached to my Professorship; but as the threat is introduced in a Letter, designed to combat *objections to your Society*, as it is followed by strong personal allusions to the *author* of those objections, and followed even by a reference to the pamphlet, which you profess to answer, it not only may, but *must* be applied to those very objections. It is my "*pertinacious resistance*" to the claims of your Society, which gives offence. But however "*reasonable*" those claims may appear to its advocates, and however dangerous it may be to *dispute* them, yet, as neither argument nor fact has hitherto established their vali-

* You refer expressly to my Inquiry.

city, resistance should not be ~~caused~~ by additional cause for alarm.

After all, though you contended in your former Letter for the distribution of the Bible *alone*; though even to the end of your second Letter, you plead for those who "carry home to the habitations of the poor and ignorant that Bible *alone*, which is daily read in the Church, as *alone* containing the words of everlasting life," yet as the Prayer Book is *also* read in the Church, and constitutes a much greater part of Divine Service, the friends of the Bible Society seem lately to have discovered that I was *right* in contending for the distribution, on the part of Churchmen, of *both* Bible and Prayer Book. For shortly before the General Meeting of your Society, on the 6th of this month, at Free Mason's Tavern, proposals were circulated for another meeting at the same place, on that day fortnight, with the view of establishing a kind of supplementary Society, for the distribution of the *Prayer Book*. The Prospectus, which I have now before me, is intitled, "Reasons for establishing, at the present time, a *Prayer Book and Homily Society*, for the sole purpose of distributing gratis, and circulating at reduced prices, the *Prayer Book and Homilies* of the United Church of England and Ireland, among the people of the British Empire, and particularly in his Majesty's Army and Navy, and in our Colonies and Dependencies." In the first paragraph of the Prospectus, where mention is made of objects "hitherto only *partially* accomplished," immediately is added, "Among these, that of more *widely* circulating the Prayer Book and Homilies of the Church of England, has appeared *peculiarly important*." How very unlike are these sentiments to the language which has been *hitherto* holden by the advocates

of your Society? When I contended, only five months ago, for the importance of the Liturgy, and urged its distribution with the Bible, not on the ground of equality, (which you must know I never maintained) but solely on the ground of conformity; I was told in answer, that the Bible *only* was the religion of the Protestant, and that it was *Popery* to object to its *sole* distribution. But in the words of the present Prospectus, it is requested, that “the *Church members of the Bible Society*”——“will not deny their patronage to an Institution, which has for its object *to diffuse more widely* the Formularies of the Church, which, in their estimation, can be deemed *inferior only to the Bible itself.*” Now, if instead of proposing, that the Church members of your Society should transfer their contributions to the Society for promoting Christian Knowledge, which distributes *both* Bible and Prayer Book, I had proposed the remedy which is now recommended by *your own party*, namely, a supplementary institution for the distribution of the Prayer Book, the proposal would have *then* been rejected with indignation. If it was *Popery* to urge the distribution of *both* Bible and Prayer Book, what would have been *then* said of a Society for the distribution of the Prayer Book, *without* the Bible? Even in your *last* Letter you have vindicated the practice of distributing the Bible *alone*, by appealing to the Naval and Military Bible Society: yet in the Prospectus *now* published, the distribution of the Prayer Book is represented as necessary, “*especially among the Army and Navy.*” It appears then, that after all the contradictions, and all the invectives, to which I have been exposed during the last five months, from the advocates of your Society, the very principle, for which I have been all along contending, is at length *formally and solemnly recognized.* The too great *neglect of the Liturgy*, of which I complained in the Inquiry, and of which I stated the conse-

quence, is no longer a *false assumption*, but a *fact* implied in the very *face of the Prospectus*. For it would be absurd to propose a remedy for a defect, which *did not exist*. The “peculiarly important object,” (as termed in the *Prospectus*) of a *wider circulation of the Prayer Book*, is not only thus openly admitted, but the Constitution of the Bible Society is expressly assigned as a reason, why that important object has been “*hitherto only partially accomplished*.” Lastly, that the Church would be in danger, if some means were not adopted for an *increased* distribution of the Prayer Book, is again acknowledged in this very *Prospectus*, by the solemn appeal “to the dignitaries and ministers of the Church generally, as well as to that vast body of the Laity, who are cordially attached to her.” When they are invoked to unite for the circulation of the Prayer Book, they are invoked (in the language of this Address) to “unite under the banners of the Church.” Not only the *existence* therefore of that neglect, which was the subject of complaint in my Inquiry, but even the *cause* which I assigned, and the *consequences* which I declared, are now unequivocally admitted.

Whether the members of the Society for promoting Christian Knowledge, who are *likewise* invited by the *Prospectus*, to join the new Institution, should not prefer, if they have another guinea to spare, an increased subscription to their *own* Society, which has been already employed *above a hundred years* in the distribution of the Prayer Book, is a question, which every member of the Society, who has the smallest *regard* for it, will answer in the affirmative. We have lately indeed been told, that it is a *relief* for our Society, when the claims upon it are diminished by applications *elsewhere*. But before an application can be made elsewhere, an *interest* must be created elsewhere: and that additional interest might

be obtained at Bartlett's Buildings, by an additional *subscription* there. And as there can be no reason why Churchmen should forsake a Society, which, during more than a hundred years, has been a firm support of the Established Church, every attempt to *diminish* that support should rouse us to fresh exertions.

Your Prospectus indeed offers two inducements to our becoming members of the new Institution ; one of which is, that it will distribute the *Homilies*, as well as the Prayer Book ; another, that it will distribute *translations* of the Prayer Book. Now the Homilies are *already* on the list of the Society for promoting Christian Knowledge ; so that they, who consider a *gratuitous* distribution of them as necessary, may now be provided at Bartlett's Buildings. But though the Homilies should be studied by every *Clergyman*, as containing (in the words of the 35th Article) " a godly and wholesome doctrine, and necessary for these times," that is, the times of the Reformation, yet (as the Bishop of Lincoln observes, in his Elements of Christian Theology, vol. ii. p. 536) " the English language has changed so much since the Homilies were written, that *they would scarcely now be understood by a common congregation.*" There cannot therefore be much utility in the *gratuitous* distribution of the Homilies, if the objects of gratuitous distribution would not *understand* them. This is the sole reason, why the Homilies have not been *always* on our list : for when application is made for books at Bartlett's Buildings, it is understood to be, not for the use of the *members themselves*, whose subscriptions would in that case produce no public benefit, but, as stated in one of our rules, " for their own *gratuitous distribution*, or, for the Charity Schools, with which they are locally or parochially connected." Overlooking this necessary rule, some of our zealous adversaries have taken occasion to reproach

us, for not having the Homilies on our list, as if the opinion, that a book would not be understood by the poor, implied an objection to the book itself. With the view of removing so unjust a reproach, and at the same time of supplying those members of our Society, who may differ from the common opinion, the opportunity is now offered to those, who think proper to embrace it. But it is somewhat extraordinary, that in a Prospectus, recommending the *gratuitous* distribution of the Homilies, appeal should be made to a passage in the Elements of Christian Theology, where it is expressly declared, that the persons, who alone are the *objects* of gratuitous distribution, would not *understand* the Homilies. Nor does Bishop Horsley, to whom appeal is likewise made, recommend them, except to his *Clergy*.—On the *other* advantage, which is offered by the new institution, that of promoting *translations* of the Liturgy, the Prospectus takes notice of *five* translations already made, namely, into two East Indian languages, and into the Irish, the Manx, and the Welsh. Then *immediately* is added, “It would obviously be difficult for the Society for promoting Christian Knowledge, to pay full attention to these specific objects, without withdrawing it from others of great importance and utility.” Now, whether we are really unable to attend to the objects here specified, let any one judge from the following facts. In 1763, our Society printed 2550 copies of the Common Prayer Book in the *Manx language*; and in 1808, an edition to the extent of 5000 copies, which is a very ample supply for the Isle of Man. In 1748, our Society finished an edition of the *Welsh Bible*, accompanied *with the Prayer Book*, to the amount of 15,000 copies. In 1752, a new edition of the *Welsh Bible* to the amount likewise of 15,000 copies, was accompanied with an edition of the new Testament, and of the *Common Prayer Book*, each to the amount of 5000 copies. The

edition of the Welsh Bible, printed by our Society in 1768, to the amount of 20,000 copies, was not indeed accompanied with the Prayer Book. But in the edition of 1799, consisting of 10,000 copies, and in the edition of 1809, consisting of 20,000 copies, each copy was accompanied with a *Welsh Prayer Book*. Yet the public is now to be told, that our Society is *unable* to attend to "these specific objects." And have not two translations of the English Liturgy been made into *East Indian* languages, by Missionaries in the service of our Society? To select therefore *such* instances, when we are charged with *inability* on the subject of translations of the Prayer Book, is not a little extraordinary. But the tender regard for our Society in respect to *these* objects, is founded, it seems, on the apprehension of "withdrawing it from others of great importance and utility. On these accounts it has seemed expedient, that the principle of the *division of labor*, which has been found so effectual in *secular* affairs, should be applied also to those of a *religious* nature." Here let me ask, what *are* the important objects which you are willing to leave to us in this "*division of labor*." If the Bible Society is to supersede our distribution of *Bibles*, and the Prayer Book Society our distribution of *Prayer Books*, we shall at length be reduced to a mere Society for *Religious Tracts*. And can the *real* friends of the Church be expected to submit to such a division as *this*? Shall a Society, of which every Bishop is a member, which has been employed above a century in supporting the Church, and in providing the poor, to its utmost ability, with Bibles and Prayer Books, be at once reduced to a mere Society for *Tracts*? The very thought must excite indignation, and rouse "the dignitaries and ministers of the Church, as well as that vast body of Laity, who are cordially attached to her," to unite (in the words of your Prospectus) "under the banners of the

Church," but to unite, where those banners are really to be found, in *the Society for promoting Christian Knowledge*. Let it be known to all the friends of the Establishment, that this Society is in need of support; that though our members are rapidly increasing, our expenses increase still faster; that the *income* of our Society does not keep pace with its *exertions*; and that our capital has consequently diminished in the space of *two years*, by more than *four thousand pounds*. It is to be hoped therefore, that they who can afford it, will *increase* their subscriptions, and increase them according to their *ability*.

And I would humbly propose, that an additional subscription be *immediately* opened at Bartlett's Buildings, for the purpose of increasing our energies, and the furtherance of those objects, which, in the present alarming crisis, demand our most serious attention. I would recommend also, that the sums subscribed be in future annexed to the *names* of the subscribers, as is usual with other societies, and as is already the practice with our own diocesan committees. When it is known to the Public, whether men are liberal or niggardly subscribers, they will feel an inducement to an increase of contribution, which does not operate at present. The friends of the Establishment will have thus an opportunity of *showing* their zeal, by subscribing in proportion to their *ability*. It may indeed be reckoned among the fair and honorable *rewards* of generosity, that it is known and applauded; whereas, on the other hand, it is no disgrace to contribute *little*, when we have not the means of contributing *more*.

Before I conclude, I hope you will pardon me, if I say a few words on the personal abuse, with which I have been assailed, and of which I have reason to complain. I am indeed aware that *every* man, who has the courage, in the hour of danger, to come forward in defence of Church or

State, is unavoidably exposed to personal invective: for the passions of men are never more inflamed, than when, in the pursuit of what *they* consider a work of *improvement*, they are suddenly thwarted by others, who consider it as a work of *destruction*. And we may in general estimate both the greatness of the *danger*, and the resistance apprehended from the person who *opposes* it, by the vehemence of the clamor, and the bitterness of the reproaches, which are heard against him. From this reflection, though I conclude on the one hand, that our danger is great, I may be allowed to conclude, on the other hand, that I have contributed to lessen it. And as I have acted with the full conviction of doing what my duty *required* of me, I derive from it a consolation, which neither malice nor envy can destroy: I derive from it a consolation, which no worldly honors can impart to *violated* duty. I have the further consolation to reflect, that, considering the strength of the current, which has been opposed to me, my endeavours have been as successful as I could have reasonably hoped. When I pleaded from the University Pulpit, for the Articles of our Religion, I was assailed indeed with the bitterest reproaches, by a writer, who pronounced them “*a mass of mystery and delusion.*” But then I was indemnified for this abuse, by the approbation with which my Lectures were honored, by every critic, who had a regard for the Church. When I pleaded at St. Paul’s, for the national religion as the foundation of national education, the press again seemed with invective, on the part of those who would gladly exclude the Liturgy from a system of religious instruction. But the national Society, which has formally recognized, and is now acting on the principles asserted in my Sermon at St. Paul’s, affords sufficient evidence, both of the goodness of the cause, and of the success with which it was main-

ained.' Lastly, when the advocates of the Bible Society, like the advocates of the Lancasterian system, were pleading for the distribution of the Bible *alone*, I again thought it my duty to plead for the distribution of the *Prayer Book*. Here too I have the consolation to reflect, that the united efforts of my adversaries on this subject, end at last with an Institution formed for the express purpose of *distributing the Prayer Book*. That I have rendered therefore essential service to the Established Church, by contributing to a wider diffusion, and more general application, of *that book*, without which the Established Church would *cease* to be what it is, my adversaries themselves (who are desirous that the Church should remain) will at length be compelled to acknowledge. It is true, that the *means*, which they now propose for a more extensive circulation of the Liturgy, are not precisely the means, which I should recommend. I still retain the opinion, that the Society for promoting Christian Knowledge is capable, with proper support, which it certainly wants, of answering *all* the purposes, which the most zealous Churchman can require. But whatever difference of opinion be entertained on this subject, I have at any rate compelled my adversaries to acknowledge, that the distribution of the *Prayer Book*

¹ To prevent mistakes, or false inferences, deduced from the word *national*, let it be observed, that the Society is so called, as being instituted for the sole purpose of supporting the *national* or *established religion*. But the term does not apply to the *funds* of the Society, and consequently does not apply to the *claims* upon those funds. They arise solely from the subscriptions of *Churchmen*, who were invited, in the terms of the Prospectus, published for that purpose, to promote "the education of the poor in the *doctrine and discipline* of the *Established Church*." Any attempt therefore to *divert* those funds to purposes which do *not* promote the discipline, as well as doctrine, of the Church, would be no less subversive of common justice, no less a violation of good faith, than destructive to the Society itself.

ought to be increased, and that some means should be devised for that purpose.

Here then I will take my leave of the present controversy, and subscribe myself,

Dear Sir,

Your most obedient,

And very humble Servant,

HERBERT MARSH.

Cambridge,

May 16, 1812.

POSTSCRIPT.

You will certainly excuse me, if I take the present opportunity of expressing my profound sorrow for the loss of that inestimable statesman, and true christian, of whom the hand of an assassin has deprived us, at a period, when we were most in need of his consummate ability, his unimpeachable integrity, and that undaunted courage, which, though it never yielded, when conscience urged him to persevere, was tempered with a benevolence which disarmed his most strenuous opposers. Sincerely attached to him for his private as well as public virtues, I had the misfortune (and I shall ever consider it as such) to differ from him in my view of that Society, which has been the subject of the preceding letter. But, as a conscientious regard to what I believe to be the truth, was the motive for publishing opinions, which were known to vary from the sentiments of a patron, at whose command were all the honors of the Church, I had afterwards the satisfaction to learn from his own hand, that he was too magnanimous to be

offended with a line of conduct which he knew was prescribed by a sense of duty. And, as the honor of having been esteemed by such a man as Mr. Perceval, is sufficient to compensate for the invectives of ten thousand adversaries, I may be allowed to quote the concluding sentence of a letter, which he wrote to me on the 6th of last February. Having acknowledged the receipt of my "Inquiry," and having lamented, that he had not then had time to read it, he concluded with the following sentence :

"I assure you, I am too fully sensible of the motives which influence you, not to be able to differ from you on that point, without suffering such difference to have the slightest effect, in diminishing the regard and respect, with which I am,

Dear Sir, Your's, most truly,

SP. PERCEVAL."

As this sentence relates entirely to myself, there is no breach of confidence in the publication of it; which would otherwise indeed be removed by the circumstance, that Mr. Perceval has since authorised me to show it, and, in conformity with his own generous feelings, has himself sent a copy of the whole letter to one of my most violent adversaries. I have reason therefore deeply to lament, as well the loss of private friendship, as of public worth. And, as testimony to departed goodness can result only from disinterested motives, I need not apologise for praises-bestowed on a Minister, who is removed from the scene, where flattery may expect reward.

A
CONGRATULATORY LETTER

TO THE
REV. HERBERT MARSH, D. D. F. R. S.

Margaret Professor of Divinity in Cambridge;

ON HIS JUDICIOUS
INQUIRY

INTO THE
CONSEQUENCES OF NEGLECTING TO GIVE
THE
PRAYER-BOOK WITH THE BIBLE.

1812

TO THE
REV. HERBERT MARSH.

Sir,

It is impossible for me to express to you the pleasant sensations I have experienced, whilst lately reading a little tract, from your pen, intitled, AN INQUIRY INTO THE CONSEQUENCES OF NEGLECTING TO GIVE THE PRAYER-BOOK WITH THE BIBLE. The perusal of this little work, induced me to purchase your correspondence with Mr. Vansittart on the same subject; together with your sermon preached in St. Paul's Church, London, on June 13, 1811.—You may easily conceive, then, with what real delight and satisfaction I observed, that, in these writings, you contend for this principle, “true religion cannot be found by the *Bible alone*.” The soundness of this doctrine was originally contested by Luther; and as you well know, has been a subject of dispute between Catholics and Protestants, from that period to the present time. Allow me then to congratulate with you and religion, on the bold and manly manner, in which you have given up this vital principle

of Protestantism. To err is the common accident of our nature—but to acknowledge error is the act of the hero and the saint !

In passing a cursory glance over your little work, the INQUIRY, I cannot tell you *how* pleased I am with the position by which you advance to the subject.—“ Whoever objects to the British and Foreign Bible Society, is invariably asked, Where is the harm in giving away a *Bible* ? I will answer, therefore, by saying, *None whatever*. On the contrary, the more widely the Scriptures are disseminated, the greater, in all respects, must be the good produced. Having answered this question, and, as I hope to the satisfaction of every member of the society, I beg leave to ask in my turn ; Where is the harm of giving away a Prayer Book ?”

Now, Sir, I must candidly tell you, that both these sentences are in strict conformity with my own reflections, and such as I most earnestly wish to see impressed upon my flock. For as you observe (No. 1. page 100,) “ When we consider, that there is, at present, hardly a town, or even a village, which is not visited by *illiterate* teachers, who *expound* the Bible with more confidence than the most profound theologian ; it becomes doubly necessary, if we would preserve the poor of the establishment in the religion of their *fathers* to provide them with a *safeguard* against the delusions of *false interpretation* :— under these circumstances, you add, to leave the poor, who without *assistance cannot understand the Scriptures*, as the itinerant preachers themselves admit by their own practice, to leave, I say, the poor under such circumstances, *to be tossed about by every wind of doctrine*, which they *must* be, unless provided with that *authorised exposition* of the Scriptures, which is contained in the Liturgy—is, at least in my judgment—such a dereliction of our duty as Churchmen, that I little expected to hear clergymen within the precincts of the university, reprehend

a professor of divinity, because he contended, *that the Prayer Book should be distributed with the Bible.*"

As you must know, Sir, we have always entertained, as well as yourself, a high respect for the Liturgy; and though we have never thought of placing it on an "equality with the Bible," a charge at which you very properly spurn in No. II. page 379 of your letter to Mr. Vansittart; yet explaining myself in your own words (No. II. page 380,) we "urge the distribution of it, not as being equal with the Bible, but as being in conformity with the Bible."

You define the Liturgy (No. I. pp. 100, 101, 104.), a book, "which contains the doctrines of the Bible according to its true exposition; in which these doctrines are applied, throughout the prayers and collects to the best purposes of religion, and are condensed in a manner which is intelligible to all, in that excellent formulary the Church Catechism;" also an "authorised exposition of the Scripture—which every honest churchman must believe to be the true one;"—thirdly, a work "in which the doctrine of the Trinity, the Atone-ments, the Sacraments, with other doctrines of *your* Church, are delivered as contained in the Bible."

This is, then, exactly what the Liturgy and Catechism are amongst Catholics—they are two names for the same thing. I have given, Sir, a new edition of our LITURGY, accompanied with explanatory notes; and am not less strenuous than yourself, that as far as Catholics are in question, it should be put into their hands together with the Bible.

But, Sir, you will excuse me if I say, that you have committed a great mistake, by affirming in your note of page

¹ Liturgy, or a Book of Common Prayers and Administration of Sacraments, with other rites and ceremonies of the Church, for the use of all Christians in the united kingdom of Great Britain and Ireland.

No. 1. 114, “that Catholics give no Bible at all.”—By which, I suppose, you mean to say, that in the Catholic Church Bibles are denied to the people. Now, at this very period of time, in this Country, we have two Catholic editions of the Bible in the Press ; which moreover are printing in shilling numbers, for the convenience of the people. One is edited by a printer of the name of Sayers,—the other by one of the name of Haydock—both inhabitants of Manchester. The Rev. John Worswick, Catholic clergyman, of Newcastle-upon-Tyne, is also engaged in printing a cheap edition of the Testament, expressly for the poor. I take no notice of other editions of the Bible conducted, in Ireland. A vender, moreover, of these Bibles constantly stands, by my permission, at the door of my own chapel, in London, during divine service, soliciting subscriptions to these works.—It is true that we do not form large societies, for the purpose of distributing them indiscriminately—because we have always conceived, like yourself, that “the poor without assistance cannot understand the Scriptures.”—2dly, Because putting the Bible into the hands of such persons would be to expose them wantonly, to the “seduction of false interpretation,”—by which they might “soar into the regions of what you term *abstract* religion (No. 1. p. 129,) and become bewildered in their way, till, at length, they wander to the devious passage, where Christianity itself becomes lost from the view.” (No. 1. p. 113.) Yet, Sir, if any of the Bible Societies feel disposed to try our esteem for the Bible, by presenting us some copies of a Catholic version, with or without notes, we will gratefully accept and faithfully distribute them.

I therefore confidently trust, Sir, that since we are likely to suffer much, through your mistake, in the opinions of our countrymen, that you will see the necessity of correcting your assertion, in the next edition you may give of the INQUIRY. You are aware that this is particularly incum-

hant upon you at the present moment, when Catholics have so much at stake, and when they are suffering so much in their reputation, by the slanders which are daily propagated concerning them, to serve some political purpose. You know how credulous Englishmen are—their frank and open character lays them more open than others. It was in the reign, I think, of Charles the Second, that the peace of the Catholics was endangered, and all London thrown into an uproar, by a report, that five hundred Jesuits, mounted on dromedaries, had landed at Oxford, from the Lord knows where, and were on their march to London to attack the Protestants—And perhaps it may be within your own recollection, that the curiosity of half England was raised, to see a man in a public theatre, fulfil his promise of getting into a quart bottle.¹ But, Sir, it is some satisfaction to reflect, that credulity is not exclusively confined to our own heavy

¹ See an account in the Gentleman's Magazine for the year 1749, page 42. A cotemporary French writer has also given an entertaining account of it; "*Mais que direz-vous de la fougue d'un peuple qui, séduit par sa passion pour le spectacle et pour le singulier, se laissa persuader par un mauvais plaisant, qui avoit fait afficher aux coins des rues de Londres, qu'à tel jour, à telle heure, et à tel théâtre, un homme sauteroit dans une bouteille qui put contenir une pinte. Oui, Monsieur, les plus honnêtes gens d'Angleterre se rendirent à ce spectacle, payèrent l'entrée, la salle étoit remplie comme un œuf: mais tous furent attrapés; car au bout d'une heure d'attente, le mauvais plaisant se presenta sur le bord du théâtre, et dit qu'on n'avoit pu trouver dans tous les cabarets de Londres une bouteille qui contint l'exacte mesure d'une pinte, qu'ainsi on demandoit pardon aux spectateurs, et qu'on étoit prêt à leur rendre l'argent à la porte s'ils l'exigeoient. Il disparut au même instant. Le parterre se voyant ainsi leurré, entra en fureur, fit tapage, brisa les bancs, les décorations; et il y eut un tumulte si grand, que les uns y perdirent leurs épées, d'autres les perriques, leurs chapeaux, &c. mais l'argent ne peut être rendu, le fourbe avoit trouvé moyen de s'évader sans qu'on ait jamais pu le découvrir.*"

climate. You may have read, in the newspapers, within the last twelvemonth, and I have heard the fact since confirmed, that all the inhabitants of Lisbon,—the clergy, the nobility, and gentry—Marshal Beresford, together with his staff, and the officers of the English army, stationed in Lisbon, assembled on the shores of the Tagus, and waited several hours, to see an English officer walk across that river in his boots :—a distance of six or seven miles, and where a seventy-four line of battle ship might sail and tack. Thus, Sir, it often happens, that, without any hesitation, we assent to the most improbable and unnatural fabrications ; —and these anecdotes should convince us, that it is very easy to impose any story upon men, when their own pleasure, interest, or prejudices, dispose them to believe it : —the more extraordinary, horrid, and unnatural the narrative, the more readily they assent to it : —and you must know, that, now-a-days, such facts gain more believers, than the miracles of the Gospel.

In reconducting my wandering thoughts to your INQUIRY, I was mightily pleased to observe, (p. 114. No. I.) that “the fundamental principle which pervades” this work, as well as “the whole of your Sermon at St. Paul’s is *the necessity*, on the part of churchmen, of associating the Liturgy with the Bible.”—You bear down our common adversaries in this manner : (p. 106. No. I.) “Undoubtedly the Bible is the sole basis of the Church of England.”—Exactly in the same sense that you take the expression, we also say, “the Bible is the sole basis of Catholic doctrine.”—“Equally true,” you continue, “is the *general* proposition, that the Bible only is the religion of the Protestant.”—We also can say, “Equally true is the *general* proposition, that the Bible only is the religion of the Catholic.”—But you very properly ask, quite in the language of Catholics, “Are all Protestants alike in their

religion? Have we not got Protestants of the Church of England, Protestants of the Church of Scotland, Protestants who hold the Confession of Augsburg? Have we not both Arminian and Calvinistic Protestants? Are not the Moravians, the Methodists, the Baptists, the Quakers, and even the Jumpers, the Dunkers, and Swedenborgians, all *Protestants*? Since, therefore, Protestantism assumes so many different forms, men speak quite *indefinitely*, if they speak of it without explaining the particular *kind* which they mean. When I hear of a Swedish, or a Danish Protestant, (namely one who belongs to the church establishment in those countries) I know that it means a person, whose religion is the *Bible only*; but the Bible as expounded in the *Confession of Augsburg*. When I hear of a Protestant of the Church of Holland, I know that it means a person whose religion is the *Bible only*; but the Bible as expounded by the *Synod of Dort*. In like manner, a Protestant of the Church of England, is a person whose religion is the *Bible only*; but the Bible as expounded by its *Liturgy and Articles*. How, therefore, can we know, if we give the *Bible only*, what sort of Protestantism will be deduced from it?"—Indeed, Sir, I cannot sufficiently admire the ingenuity and masterly manner in which you urge the necessity of an *other* rule of faith besides the *Bible only*. It is a *coup de grâce* to the old principle of the Reformers, from which, I think, they can never recover. And it is given in the true Catholic style of boldness, which convinces me that you feel your own strength.

You say (No. 1. p. 118.) in the words of Chillingworth, as the first Reformers did; "Protestants receive nothing, as matter of faith and religion, besides *it* (namely the Bible) and the plain, *irrefragable and indubitable* consequences of it."—You see the objection, and you refute it, in these

few words,—“ But Protestants of *every* description, however various, and even opposite in their opinions, claim severally for themselves, the honor of deducing from the Bible “*irrefragable and indubitable consequences.*” The doctrine of conditional salvation, is an “indubitable consequence” to the Arminian. The doctrine of absolute decrees, an “indubitable consequence” to the Calvinist. The doctrines of the Trinity, the atonement, and the sacraments, which the Church of England considers as “indubitable consequences” of the Bible, would *not* be so, if the Unitarians, and the Quakers were right in the consequences, which *they* deduce from the Bible. But the consequences which *they* deduce, appear “indubitable” to *them.*” —You call this Protestantism, “*generalised Protestantism,*” or “*Protestantism in the abstract ;*” and you well observe, that it is nearly allied to apostasy from Christianity:—“ a system ” by which men (No. 1. p. 129.) “ soar into the regions of *high* Protestantism, till the Church of England entirely disappears ”—“ a system ” by which (No. 1. p. 113.) “ many a pilgrim has lost his way, between the portal of the temple and the altar ”—“ disdaining the gates belonging only to the priests, and approaching, at once, the portals of the temple,” they “ have ventured, without a clue, to explore the innermost recesses ; and have become bewildered in their way, till, at length, they have wandered to the devious passage, where Christianity itself becomes lost from the view.”—Oh ! how charmingly, Sir, ~~have~~ you, throughout, illustrated and enforced the apostle’s words to the Ephesians : “ He gave some, apostles ; and some, prophets ; and some, Evangelists ; and some, pastors and teachers : for the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ : till we all come in the UNITY of the faith, and the knowledge of the Son of God unto a PERFECT man, unto the MEAS-

SURE of the stature of the fullness of Christ; that we henceforth be no more children tossed to and fro, and carried about with every wind of doctrine, by the slight of men, *and* cunning craftiness, whereby they lie in wait to deceive. But speaking the truth in love, may grow up into him in all things which is the head *even* Christ." (Ephes. iv. 11.)

Though I highly approve, Sir, of the mode by which you maintain the necessity of a *Liturgy*—and admit that it was the only method by which the Reformers could secure to the Bible "*their interpretation*"—though I can believe that "they deemed it necessary to employ the knowledge of the Scriptures, which (*you think*) they super-

¹ I lately listened to a sermon preached in a dissenting Baptist-chapel in the country, on the origin of authority and power.—I say, here, nothing of the mischievous tendency of the preacher's instruction—either as it related to civil or religious authority:—but joining, in my way home, an individual of the congregation, I endeavoured to draw from him some information respecting their practices in religion. Understanding that the first Sunday in every month, *without any direction from Scripture*, is appointed for receiving the Sacrament of the Lord's Supper, my inquiry was, if all received it? "No," he replied, "only those who *have an interest in Christ!!!!*" "And have you," said I, "ever received it?" "No," he answered, "I have not yet been baptized." "You must be above forty," I continued, "and don't you intend to be baptized before you die?" "I don't know," he answered.—"But," said I, "are you not commanded in the Bible to be baptized?" "Would you not be afraid to die without baptism?" "No," he repeated, "unless I thought I *had an interest in Christ*."—Now this man was going home to read his Bible; and a pretty hand he would be at it!!!! Is not such a system, then, a complete reflection on common sense?—I wish every man of understanding would attentively read the first chapter of the Epistle of St. Paul to the Corinthians. With him, I will ask, *Hath not God made foolish the wisdom of this world?—the foolishness of God is wiser than men: and the weakness of God is stronger than men.*

eminently possessed, in composing a system of doctrines, which (*as they thought*) are really founded on the Bible when rightly understood;" and then (No. I. p. 110.) "claimed the assent of the public to their interpretation, on the ground of its conformity with the original,"—and then "required *all* churchmen, clergy and laity, to subscribe to their Liturgy, as a proof of churchmanship,"—(No. I. note p. 107.)—though I can perfectly well understand you, when you say on the same passage, "that by the laws of this country, the Liturgy is the great criterion of the churchman,"—and (No. I. p. 111.) "that it is really the bulwark of the Established Church,"—and, moreover, "that the fundamental principle which pervades the whole of your Sermon at St. Paul's, is the necessity, on the part of churchmen, of associating the *Liturgy with the Bible*," (No. I. p. 114.)—though I can comprehend all this, and am ready to admit, that you have labored hard and successfully—yet I cannot, by any means in my power, so bend the stubborn faculties of my understanding, as to perceive by what rule in logic,—upon what principle in ethics, you subjoin in your note of page 128, "every true Protestant, when arguing with a *Catholic*, must contend for the *Bible alone*!"

Passing by this little difficulty, I cannot help comparing you to the dove, which finding no solid ground to rest on, returned to the ark from whence it had escaped. After fairly confessing the defectiveness of the grand Protestant principle of Luther and Chillingworth, THE BIBLE ALONE—you have, honorably to yourself and religion, publicly returned to the old principle of Catholics, and now contend with us, for that very LITURGY, which the Reformers rejected. *Your* principle is *mine*—and we have only to guide ourselves by it, to effect that happy union of our respective Churches, which the learned Dr. Shute Barrington declares to have been "a long desired measure," and

an object "of the anxious wishes of some of the best and ablest members of both communions." I will transcribe his words, together with a few of my own reflections; from the INTRODUCTION to my edition of the LITURGY.¹

"There appears to me," says he, "in the present circumstances of Europe, better grounds of hope for a successful issue to a dispassionate investigation of the differences which separate the two Churches of England and of Rome, than at any former period. With this view and these hopes, I continue to exert my humble efforts in this great cause of charity and truth."

As a Catholic, I certainly cannot assent to what this learned Bishop erroneously imputes to my religion; but in every wish, expressing a love and desire of CATHOLIC UNION, I not only most sincerely accord, but would glory to become the servant of the servants of God, in promoting that event. Nor can any thing give me more pleasure and delight than to transcribe the following lines of this Prelate to his clergy. After wrongly inferring from some of the doctrines and usages of our Church, that we countenance that which is "idolatrous, sacrilegious, blasphemous, impious, and prejudicial to the laws and constitution of this free empire," (for, in fact, we abhor all such wickedness equally with Protestants themselves,) he continues: "If, I say, by persevering in a spirit of truth and charity, we could bring the Roman Catholics to see these most important objects in the same light, that the Catholics (he means the members) of the Church of England do, (surely, then, *in truth and charity*, they will not require us to say of ourselves what we know to be false) a very auspicious opening would be made for that long desired

¹ See "Liturgy, or a Book of Common Prayers, &c." Keating and Co.

measure OF CATHOLIC UNION, which formerly engaged the talents and anxious wishes of some of the best and ablest members of both communions.

“And what public duty of greater magnitude can present itself to us, than the restoration of peace and union to the Church, by the reconciliation of two so large portions of it, as the Churches of England and of Rome? What undertaking of more importance and higher interest can employ the piety and learning of the ministers of Christ, than the endeavour to accomplish this truly Christian work? What more favorable period can occur than the present; when gratitude on the one hand, and mutual interest on the other, prompt to such an accommodation? Gratitude for valuable privileges already received, and mutual interest, in opposition to an overwhelming tyranny, equally hostile to all ecclesiastical establishments that are not yet subject to its infidel domination, which has at this time usurped, or is laboring to usurp, the domination of every state in Europe, except this happy country, so highly favored by a protecting Providence. If I should live to see a foundation for such an union well laid, and happily begun; if Providence should but indulge me with a dying prospect of that enlargement of the Messiah’s kingdom, which we have reason to hope is not very remote, with what consolation and joy would it illumine the last hour of a long life? With what pleasure should I use the rapturous language of good old Simeon:—‘*Lord, now lettest thou thy servant depart in peace.*’ May that Saviour who has left us in the record of his Gospel, his own anxious prayer for the union of his disciples, promote and prosper the blessed work of *Catholic Union.*”

In short, Sir, whilst you contend for the LITURGY, as a necessary companion to the Bible, I shall never despair of seeing this “long desired measure” brought about—

since I actually consider you a champion of the Catholic Church—a defender of tradition. Your own adversary, against whom you express such bitter complaints on No. 1. page 112, styles it “*the traditions of fallible men.*” Every argument and authority you urge against the Dissenters is evidence for us against the original Reformers:—and the whole body of Catholic and Protestant controversy will be involved in the single question of the comparative authorities of the two Liturgies. You have received yours from the innovating-hands of the Reformers—we only carry ours farther back in the Christian history, and pretend to have inherited it from the earlier fathers of the Church and disciples of the apostles. The argument between us is simply a contest *de valore testium*, on which human judgment can easily decide. You truly say, (No. 1. p. 111.) “No doubt, the Reformers were fallible, like other men; but the question is not, whether they were *fallible*, but whether they *failed*? not whether they *could not err*, but whether they *did err*?”—Now, that they *did err*, in your opinion, and in the opinions of other churchmen, I think evident, from the fact of your present Liturgy being a correction of theirs. Many of the altered passages are given in my edition of our Catholic Liturgy, as they originally stood.

You even admit, Sir, that many object—“your language savours of Catholicity;” and you quote Mr. Vansittart writing to you, as follows:—“Such a claim of equality with the Bible, the venerable and holy men, who compiled our Liturgy, would have disclaimed with horror. There is no point, on which they more firmly insist, than upon the complete and absolute sufficiency of the Scriptures, in matters of faith: this indeed is the very basis of the Reformation; while the authority of the Church in points of doctrine is no less avowedly the foundation of

Popery. The danger of the perversion of Scripture, on which you so much insist, is the very argument used by the Papists in defence of the denial of the Bible to the Laity. And indeed to such a length do you carry your argument, that I know not what answer you could give to a Catholic Doctor, who should justify the practice of his Church by your authority."

This is truly, Sir, the confirmation of all I have advanced; and you may therefore observe, why I conceive myself justified in writing to you a congratulatory letter. To be candid with you, I have no doubt, if you are only consistent with yourself, but you will perceive, in the end, that the Catholic Liturgy is better founded than that of your established Church. Your Liturgy, Sir, is what in our Church we generally term TRADITION—DOCTRINA TRADITA. Now, as you well know, every thing must rest upon some foundation—in argument, you must either have, or assume a principle.—You then derive your Liturgy from the Reformers.—What does it rest upon? On their opinions and judgment.—Some may say, on "their interpretation of the Scriptures,"—and the interpretation of the Scriptures upon their opinions,—but this would be a *circulus Vitiōsus*.—You perceive, Sir, that you are in the dilemma of the man, who fixed the world upon the back of a huge tortoise—the tortoise he raised on the back of an immense elephant—but he was absolutely at a loss to discover what he could make the elephant stand upon.—Thus, Sir, I think you will be under the necessity of carrying up the Liturgy, with the Catholics, beyond the period of the Reformation, and until it rest upon the authority of the apostles, or their immediate disciples.

Once more, I congratulate with you and myself, on the opposition which you make to the BIBLE ALONE. It was

in the persuasion, that we entertain a common sentiment: on this subject, that I determined to publish and dedicate to you a Sermon well calculated, as I conceive, to strengthen all those arguments you have advanced in your own publications. Praying God, that it may be only a prelude to a union of sentiments on other points, it is respectfully inscribed to you,

By your very obedient

Humble Servant,

PETER GANDOLPHY.

London, Dec. 1, 1812.

AN
ACCOUNT
OF
A SUPPLY OF FISH,
FOR THE
MANUFACTURING POOR;
WITH
Observations.

BY SIR THOMAS BERNARD, BARONET.

1813.

ACCOUNT, &c.

IT is a singular but well ascertained fact, that at the very time when there is the greatest quantity of Mackerel to be caught in the part of the British Channel, which supplies the London Market, and when that Fishery is most abundant, the Fishermen who frequent Billingsgate, almost wholly discontinue the Mackerel Fishery. This extraordinary circumstance is thus accounted for. These Fishermen depend in a great measure for customers on Fishwomen who attend daily at Billingsgate with their baskets on their heads, to purchase the Mackerel, and carry them for sale about the Metropolis. As long as these women continue their attendance on the Billingsgate Market the Fishermen are secure of a certain degree of custom for their Fish: but as soon as the common Fruit comes into season, they give up dealing in Fish; finding the sale of Gooseberries, Currants, and the like, to produce them a larger and more secure profit, with less risk or trouble.

The Fishermen being thus disappointed of a sale for their Mackerel, at the time when they are most abundant, give up, in a degree, their employment for the season;

and an immense quantity of palatable and nutritious food is thereby annually withheld from the inhabitants of the Metropolis.

This circumstance of the want of means of sending their Fish generally into the Town, not only prevents the Mackerel being caught, but even after they have been caught and brought up the River, precludes a considerable part of it from ever reaching the Market; for all that arrives at this period beyond the estimated demand of the Fishmongers, *however fresh and good*, is thrown into the Thames, and destroyed before it reaches Billingsgate; with the consequence of enhancing the price of Mackerel to the opulent part of the Metropolis, and of excluding most of its Inhabitants from a participation in this cheap and plentiful supply of food.

These facts were, in May last, stated to the Committee for the Relief of the Manufacturing Poor, by Mr. Hale of Wood-street, Spitalfields, one of their Members, who had possessed the means of ascertaining their correctness beyond all question.—With the authority of the Committee, he entered into an agreement, to take of the Fishermen from ten to twenty thousand Mackerel a day, whenever the price was as low as Ten Shillings the hundred *of six score*; a price at which the Fishermen said they could afford to supply the London Market to any extent, *were they sure of a regular sale at that price*. This engagement was advantageous to the Fishermen; for whilst they had the benefit of the higher prices, as far as the demand of their more opulent customers would extend, they were certain of a Market for any surplusage of Mackerel which they could obtain.

The effect of this agreement was to produce an extraordinary supply of Mackerel in the London Market; attended with such a diminution in price, that the best Mack-

erel, *perfectly fresh*, were sold, even in the early part of the season, at twopence and threepence a-piece. Some days passed, however, before any Fish was supplied under Mr. Hale's contract. But, in the mean time, the poor as well as the rich in the Metropolis, had the benefit of this reduced Price; being able to purchase Mackerel, at the rate of six, eight, and ten for the shilling.

On the fifteenth day of June, 1812, they came down to the stipulated price; and upwards of 17,000 Mackerel, on that day, were purchased by Mr. Hale, at five pounds the thousand, and sent to Spitalfields, and there sold to the working weavers at the original cost, of a penny a piece. Women were employed, to carry them from Billingsgate to Spitalfields, until eleven o'clock at night; and hands were wanted to supply the pressure of the demand; as they were purchased with great avidity by the inhabitants of that district; not merely for immediate consumption, but also to put into small pots just covered with vinegar, and baked; the pots containing eight or ten Mackerel in each. Preserved in this way, they will continue good for some time, and eat very well like pickled Salmon.

It soon appeared, that the district of Spitalfields would not be equal to the consumption of the great quantities of Mackerel, which were daily arriving in an increasing ratio. The poor in other parts of the town were now served, at the same rate. A thousand were sent one day to the workhouse at Spitalfields, and the inmates of that place enjoyed an unexpected and acceptable treat. Other public establishments were also served; and the supply increased to so great a degree, that 500,000 Mackerel arrived, and were sold in one day. They would probably have amounted to such a number, as to have exceeded the power of distribution; but at this time the

wind changed to due West, and continued so for a fortnight,¹ which kept down the supply. This, however, did not prevent their still continuing so cheap, as to be purchased at six, and even at nine for a shilling. Had the wind continued favorable, and the means of general distribution been provided, the supply would have given every individual in the Metropolis a daily meal for some weeks; and have afforded an opportunity to those who have foresight, of filling their pots with them, as a store for the ensuing season.

The reader will probably be curious to know, what were the *extensive Funds*, which were expended in producing, at so critical a period, this benefit to a population of above a million of people; and in preventing any of those complaints in Spitalfields, which were heard in the other manufacturing parts of the Kingdom. He will learn with surprise, that the whole amount of the expenditure was FIFTY FIVE POUNDS, TEN SHILLINGS. There was no extra charge, except for a trifling loss in one instance, upon about 4000 Mackerel; it being a rule *not to sell any*, that had been kept longer than the day after they were caught, or that were not *quite fresh and sweet*. The general expense was that of sending them from Billingsgate; Mr. Hale having gratuitously undertaken the whole arrangement and management of that, which has benefited not merely the poor and distressed manufacturer, but all the other classes² of society; contributing to the abundance and cheapness of food, and producing a considerable

¹ The West wind, which is unfavorable to the supply of Fish in London, is most favorable to the Brightelmstone Fishery.

² I should except the Butchers; who complained that they had not the usual market for the *inferior* pieces of meat, but were obliged to sell them two-pence a-pound under the usual price.

saving in wheat-corn, for the general advantage of the country at large.

At the same time that the Committee for the Relief of the Manufacturing Poor, had adopted this plan for the *present* relief of the Metropolis, they had proceeded (on ~~the~~ 18th and 24th of June, 1812,) with a view to the prospective benefit of the manufacturing and other Poor, throughout England, to contract for 200 ton of corned Cod; cured on our own coast in such a way as, with a little *watering*¹ to eat almost like fresh Cod. The amount of this contract (exclusive of another contract for 400,000 corned Herrings) was £3,600. for the 200 ton, being equal to 18s. per hundred weight; they being to be sold at twopence the pound.

Of this corned Cod, parcels of a ton, or two tons each, have been sent to some Manufacturing Towns upon trial. From Mr. Heathfield, of Eastwood House (a very active Member, and the Treasurer of the Sheffield and Rotherham Committees for the Relief of the Poor, to which some of the Cod had been sent) I have just received a letter, of which the following extract will, I am confident, be interesting to my reader:—"A small supply of Fish, which we have recently received, has been found most acceptable both at Rotherham and Sheffield; at the latter place especially it has been purchased with avidity, by the work-people of the few Masters, who have hitherto been enabled to offer any for sale. An opinion had partially prevailed, that the poor would not eat salt fish; but the evidence is decisive that *the consumption would be large, could the supply*

¹ The corned Cod should be steeped forty-eight hours in cold water, changing the water morning and evening, and then oiled and eaten with potatoes. It is not liable to the general objection to *Salt Fish*, of creating an unnatural degree of thirst.

he obtained. The distress in this Riding, it is to be apprehended, will be severe during the Winter; particularly at Sheffield, where a considerable number of hands have been discharged within these few days, through the absolute incapacity of the Manufacturers engaged in the American Trade, any longer to employ them. Very indifferent Salt Cod is selling there; at 5d. per lb. Of White Herrings, the inhabitants know but little; when in the Market, they have been sold at twopence each. Your Herrings can be afforded two for three halfpence, and the Cod at twopence half-penny per lb. and both are excellent. I cannot in this early stage of the investigation say what quantity would carry us through the approaching season; but it is to be expected the consumption would be very extensive. I have made application for forty tons of Cod, which I hope will be forwarded.—It would be impertinent in me to urge upon you and upon the Gentlemen acting with you, the importance of your own plan; but it may not be improper to say, that in this part of the Kingdom, it is received as a measure admirably calculated to ameliorate the condition of the Poor, and to augment the National Stock. Some exertion, on the part of Gentlemen in their respective localities, will be necessary to produce the whole effect which I conceive to be intended; namely, to place a good meal within the reach of every family, possessed of even a trifling weekly stipend. But if the stock of Fish be adequate,

* While very indifferent Herrings were selling at Sheffield at *Two pence a piece*, they were to be purchased this year at Hastings, at the rate of sixpence the hundred; and in some parts of Scotland (as I am told) for half that price. The Bay Salt, duty free, for curing a hundred of herrings, costs about a penny.—It should seem, therefore, that our Manufacturers might be supplied at the price of a farthing, or, at most, a halfpenny, with that quantity of food for which they have been paying two pence.

the interposition of a few active persons will accomplish that object, so consoling to all who sympathise with their suffering fellow creatures."

OBSERVATIONS.

"THE great value of Mr. Hale's experiment is, that it affords *practical information* on a very important Subject, and supplies a *moral* Remedy for increasing population, and the vicissitudes of Commerce and Manufactures. The general use of Wheaten Bread—a great number of horses kept for Parade—wasteful habits of Life—increase of Manufactures—and the supply of our fleets and armies in a necessary War—have so augmented the demand for wheat-corn, that every succeeding year seems to require a degree of miraculous Plenty, or a ruinous importation from foreign Countries. When any thing is wanted in England, nothing is so easy, or so natural, as to *order* it to be *imported*; forgetful that the effect of reliance on such Importation, may be a diminution of National Wealth, a depreciation in the rate of Exchange, and a dependence on foreign Nations for the supply of the necessary Articles of Life. In the year 1800 and 1801, the money remitted to other countries for the purchase of Corn for our home consumption, amounted to £18,905,093; and above forty-two millions of money have been sent out of England, for the purchase of foreign Corn, in the period between 1800 and 1810 inclusive.

That species of speculation, which reduces the quantity to a small part of what may be easily obtained, and enhances the price far above what will make a profitable and satisfactory recompense to the persons employed, is the worst and most pernicious speculation that can exist in any country. Speculators in *grain* serve to check the con

consumption in the time of plenty, and to provide a store against the period of scarcity: but speculators in *fish* waste and destroy the abundance, which God has intended for the use of man; and deprive us of that food, which is essential to our existence.

Improvements¹ in agriculture, and ECONOMY in the use of Food, are remedies,¹ usually prescribed for excess of population.—It must be confessed, that considerable tracts of unproductive land still remain in this island; and that, so far from the greatest degree of attainable comfort and nourishment being derived from our food, there is hardly a country upon earth, where so great a waste is daily committed of what the bounty of Providence has bestowed for the sustenance of man. But agricultural improvements and economical cookery, though practicable to a certain extent, and desirable as far as they can be extended, have natural difficulties to contend with, and confined limits beyond which they can never go: limits and difficulties, which do not, in any proportionable degree, affect our DOMESTIC FISHERIES. There are innumerable acres of water which surround our coast, inexhaustible in nutritive and palatable food; where no preparatory system of hus-

¹ I do not notice a third remedy at present much in vogue;—the practice upon any *symptoms of scarcity*, of purchasing up large quantities of wheat, rice, potatoes, and other necessary articles of life; to be sold afterwards to the poor under prime cost. I fear this remedy must be classed among those *Quack Medicines*, which are likely to do much more harm than good;—for in the first place, the original purchase at such a period has the immediate effect of raising the price of the article, to the injury of the poor and of all other members of the community; and the retail of it at a low price, when the article is becoming scarce, contributes to increase the consumption of that, which it is then most important should be husbanded. Increased *produce* either from sea or land, and increased *economy* in the use of that produce, are liable to neither of these objections.

bandry is required, no seed to be committed to the soil, no question about fruitful seasons: the fields are perpetually *white to harvest*, and we have only to reap the abundance, which Providence has benignly supplied.

Mr. Hale's experiment is decisive, as to the advantage and practicability of increasing the supply, and reducing the price of fish in the Metropolis; and the examples of Spitalfields and Sheffield leave no doubt, but that Fish¹ will be purchased with avidity by the manufacturing class, whenever it is cheap and good. 'The amount of the supply may, in any year, be augmented to double or treble the usual quantity, if circumstances should require it: and were it extended only to the use of fresh Fish, or Fish lightly corned, in those parts to which it can be conveniently carried, it would benefit a considerable part of the population of this country.

In looking to the supply of the Metropolis with fresh Fish to almost any extent, we shall find very little difficulty, except what arises from the charter of the corporation of London; which, in the greatest and most populous city in the world, restricts the sale of an essential article of life, to a small and inconvenient market; and has exclusively

¹ An objection has been made to Fish, as the diet of the laboring class, that it passes lightly by digestion, and is therefore unfit to support labor. -- Upon this it may be observed: -- First, That the laboring poor and their children in fishing ports, where Fish makes a considerable part of their diet, are stout, hardy, and healthy. -- Secondly, That Fish is not proposed as the sole article of food, but only in addition to what they now have. -- And, Thirdly, That the objection may be in part, if not wholly removed by the mode of dressing it; as in America, where Cod, and other kinds of Fish are dressed with Pork, Bacon, fat Beef, and Potatoes, thickened with Rice or Oatmeal, and small Suet Dumplings, and seasoned with Savory Herbs, and Pepper and Salt; the whole producing a palatable and nutritious stew, which they call CHOWDER.

placed the monopoly of fish, in the hands of a few interested salesmen.

If the abuse were limited to a mere enhancement of price, upon those who value the articles of life in proportion to their dearness and scarcity, the power might be so modified in its exercise, as to be undeserving of public animadversion or interference. But it is now ascertained that in a period of scarcity, when every effort is making¹ by importation and economy, to provide for the public necessities, a kind of *blockade* has checked the supply of the Metropolis: large quantities of fish have been withheld, or wantonly destroyed as they approached the market; and nearly two millions of inhabitants in London and its surrounding neighbourhood, have been, in a great measure, deprived of an article of food, which might have lessened the consumption of butchers-meat and wheat-corn, to the relief of the whole kingdom.

With the liberal spirit at present existing in the city of London, it may be enough to state the abuse, in order to obtain a concurrence in the reform of it; and the amount of an ample compensation to the city for so far relinquishing this privilege, as to allow the sale of *Fish* (as of *Butchers-meat*, *poultry*, *milk*, and *vegetables*,) in two or more wholesale markets like that of Billingsgate, would be so

¹ THE COMMITTEE FOR THE RELIEF OF THE MANUFACTURING AND LABOURING POOR are now pursuing the same measures for the supply of the Metropolis and of our Manufacturers, that they adopted last year.—It appearing that the lesser Cod caught by the Fishermen are destroyed, they have entered into agreements, either for bringing them *fresh* to the Market, or for *corning* them, as a supply for the manufacturing Districts; and they have written circular Letters to the manufacturing Towns, to know what quantity of *corned Fish* they will want.—I am informed that the effect of these measures is already felt in the increased supply of the Metropolis at a reduced price.—January 7, 1813.

trivial as hardly to demand a moment's consideration. It has long been acknowledged, that Billingsgate Market, however adapted to the extent and population of London at the time of the original grant, is not adequate to the sale of even a *tenth* part of the fish, required for the daily supply of our present Metropolis. Its access is inconvenient, and its local situation distant from a large proportion of its best and most opulent customers. It has the effect of abridging the means of life to a numerous body of deserving and industrious poor,—of deteriorating the condition of the middle class, which forms so essential a link in the chain of society,—of increasing the consumption of other articles of food,—and thereby augmenting the pressure of a scarcity, already too severely felt.

The protection of the community against the monopoly of fish, and (what would be the inevitable consequence of that protection) the increased consumption of fish in the Metropolis, would bring it into more general use in the other parts of the Island; and enable our countrymen to benefit much more than they now do, by the treasures which are to be found on our sea coasts. It is, indeed, wonderful, that an island like ours, abounding in shoals of fish on its Coasts, enterprising and speculating in every other maritime concern, and pre-eminent as a naval and commercial power, should have so long submitted to *purchase* a preca-

I have a pleasure in making the following Extract from one of the *Homilies*, lately published by the PRAYER BOOK AND HOMILY SOCIETY; as it points out correctly and truly the line of conduct, which we should now pursue:—“Concerning our duties which be here dwelling in England, *environed with the sea as we be*, we have great occasion in reason to take the commodities of the water, which ALMIGHTY GOD by his divine Providence hath laid so nigh unto us; whereby the increase of Victuals upon the land may be better spared and cherished, TO THE SOONER REDUCING OF VICTUALS TO A MORE MODERATE PRICE TO THE BETTER SUSTEVANCE OF THE POOR.”

rious existence by *Importation* of wheat-corn, instead of converting more extensively its own fisheries into sources of domestic supply, and of commercial exchange for the corn and wine of other countries.


It would be one of the natural effects of our preserving Cod, Mackerel, Herrings, and other Fish for our own use, that exportations would be made to Spain, Portugal, and the Mediterranean; which would afford markets for them to almost any extent. •It is obvious that we are much more fitted by our local and insular situation for the supply of those countries, than Holland and America, which at present enjoy the advantages of that lucrative trade: and possessing food of our own to exchange for that of other countries, we should avoid the ruinous exportation of capital; and at the same time have the power of retaining our Fish for our own use, in the event of any alarming deficiency in our own harvests, or of caprice or combination preventing other States from accepting our Fish, in exchange for the Corn or other produce of foreign countries. Our disadvantage now is, that we cannot *eat our Manufactures*; nor, in the present state of the world, convert them into articles of subsistence. We are therefore, like Midas, liable to starve in the midst of wealth, and to give a fatal example of the danger of relying on strangers for daily and necessary food.

THE above is submitted to the Reader, with a view of suggesting the expediency of an early Meeting being called, to consider of the measures proper to be taken, for increasing the supply of Fish in the Metropolis, and in the

manufacturing parts of the island. The object would be, to benefit by the example of what has been lately done when, at a trifling expence, a very considerable addition has been made to the supply of the Metropolis, and of our manufacturers ; to open the supply of fresh Fish for the benefit of the Capital, and of such other places as are capable of it : and to secure a large quantity of corned Cod and other preserved Fish, for the relief of our manufacturing districts.

Those who approve of such a Meeting, are requested to signify the same by a Note, directed to the Secretary of the Society for the Poor, at No. 190, Piccadilly ; with a view to the fixing of the time and place of the Meeting, and the Measures to be proposed for consideration.

Fish Association.



**THE FIRST
REPORT OF THE COMMITTEE**

RESPECTING THE

MEASURES TO BE ADOPTED

FOR

Increasing the Supply and Use of Fish

IN THE

METROPOLIS, AND ITS NEIGHBOURHOOD.

FISH ASSOCIATION.

*Draft of an Outline of Report for the Consideration of the
Committee.*

AN increasing population, which in the last twelve years has been augmented by nearly a million and a half of inhabitants,—the state of our very extensive manufactories requiring a considerable addition of food,—and the supply of our fleets and armies, of our West India Colonies, and of some other British settlements which do not entirely provide the means of their own subsistence,—call with an imperious voice both on the public and on individuals, to unite every effort to provide more abundant sources of subsistence for the inhabitants of the United Kingdom ; and to shake off that annual dependence on the uncertain and ruinous importation of wheat corn, and other food, at an expense amounting, in the same period of twelve years, to no less a sum than forty-two millions of money, sent out of the kingdom in quest of the necessary articles of life.

Under these circumstances, it is a satisfaction to observe, that of all the countries upon earth, there is no one, the local and political advantages of which do more exempt it from the necessity of submitting to so dangerous and humiliating a dependence. The uncontrolled command of the sea, and the insular situation of Great Britain and Ireland, encircled with inexhaustible shoals of nourishing and gratifying food, afford, at all seasons, an abundant supply of Fish, and require only the easy and congenial occupation of reaping the marine harvest, which the bounty of Providence has supplied. In addition to this, the immense quantities of salt which the surrounding ocean and our own internal salt-mines afford for preserving Fish, at a price exclusive of duty, so low, as not to amount to sixpence a bushel, offer the means of preserving cod, haddock, mackarel, herrings, and other Fish to an indefinite extent, for our own use, and for exportation to Spain, Portugal, and the Mediterranean, in exchange for the corn, wine, and other imports of those countries. In addition to this, it is to be noticed, that the present state of the European world is such, as to leave us the full enjoyment of our Fisheries, without the jealousy, competition, or interference, of any of the neighbouring states.

Impressed with these considerations, the committee announces to the public, as the leading object of the Fish Association, the obtaining of a more unrestricted supply of fresh and corned Fish,—for the relief of our manufacturers,—for the better sustenance of our cottagers, by a considerable addition of savoury and salutary food,—for the supply of our West India Colonies,—and for exportation to foreign countries, in exchange for wheat, coffee, wine, oil, and other articles of life; so as to diffuse throughout the country that PLENTY, the enjoyment of which is divested of all party considerations, and free from all exception.

It is the idea of the Committee, that it will be expedient to commence their operations with the Metropolis; in the expectation that the increased use of Fish in London and Westminster and their vicinity, will contribute, by example, to introduce the general consumption of it into other cities and places in Great Britain. It is therefore their opinion that it will be proper to confine this report chiefly to the supply of the metropolis and its vicinity; which may comprehend a district of ten miles round, and contain an extent of about 400 square miles, and a population of near two millions of inhabitants.

Shoal fish they propose to be the chief object of attainment; it being conceived, that the removal of the present obstructions to the supply of fish in the metropolis, may render that article of food so plentiful and cheap in every part of it, as to make a meal of good fish, three or four days in the week, an article of *economy* to every prudent housekeeper, within the bills of mortality, and for some miles round.

In considering the means of attaining this object, it appears to the Committee, that the important thing will be the removal of the present impediments to supply; the first in order of which seems to originate in this circumstance,—that the only wholesale fish market which at present exists in the metropolis, is neither adequate in size to even a portion of the necessary supply, nor convenient in point of access or local situation to the immense population, which has been formed in the last century at the west end of the town; and that the effect of this circumstance is to impede and obstruct the distribution and retail of fish, in all parts of the town, except near that market.

Billingsgate was made a free market, and put under special regulations in 1699, by the tenth and eleventh of

William III. which has not been since varied, except specially by the 9th of Ann, and collaterally by the statutes which have been passed, from time to time, respecting Fish in general.

The size and local situation of this market might have been neither inconvenient, nor very inadequate to the existing population of the Metropolis in 1699, when the Act of William III. was passed. Marylebone, Knightsbridge, Chelsea, Lambeth, Islington, and many other connected parts of our present town, were then outlying and distinct villages in its vicinity. The inhabited space of the Metropolis and its population were such, at that period, as to bear no comparison with their present accumulated magnitude; the new houses that are now within the bills of mortality, and those immediately adjoining to and connected with them, covering an additional space of several miles of ground, which did formerly contain hamlets and townships in the neighbourhood of London, but are now become united and integral parts of the Metropolis, and accommodate a great portion of its population.

In less than half a century, however, from the passing of the Act of the 10th of William III. the inadequacy and inconvenience of Billingsgate market were generally felt and acknowledged; and in 1749 a similar Act (22d Geo. II. cap. 49.) was passed "for making a free Market for the Sale of Fish in the City of Westminster." In sixty-four years which have elapsed since the passing of that Act, the population of Westminster and its connected vicinity is become above three times what it was in 1749; yet no benefit whatever has been derived to that immense aggregate of population, from the Act of George II. By what circumstances the execution of it has been so long deferred, it may be unnecessary at present to inquire, except with a view to avoid any further delay from causes

similar to those which have hitherto impeded the execution of the Act; among which probably the most important may have been, that the commissioners appointed to carry the Act into effect, had not taken any warm or peculiar interest in its success. “

The obvious result of what has been above stated seems to be, that the measures to be adopted for better supplying the metropolis with Fish, must commence with the improvement of our wholesale Fish markets,—to be obtained by an enlargement of the present market of Billingsgate, and by carrying into execution the Act of the 22nd of George the Second; in order to which, the appointment of new commissioners in the room of those named in the Act (who are all since deceased) will be a primary and essential step. In this appointment, it may be material to consider, whether one of the qualifications for an *acting* commissioner, shall not be the loan, at lawful interest, of a certain sum of money for the purposes of the Act; the principal and interest of which may be endangered by the neglect and inattention of the commissioner to the important objects of his trust.

Another impediment arises from this circumstance;—that some of the fishermen frequenting the Billingsgate market cannot venture to bring up so large a quantity of shoal fish as they might obtain, while there are so many circumstances existing to render the sale of it difficult and uncertain. In order to remove this impediment, it may be expedient to assure to the fishermen a certainty of sale, to a limited amount and at a low price, as to such Fish as might be the object of purchase to the middle and lower ranks of society, and might be preserved by salt or vinegar as a store for the manufacturing class and others. The extent of purchase and of expense might be ascertained; and from the effect of the experiment recently

and successfully tried by the Committee for the Relief of the manufacturing and laboring Poor, it appears that it need not be a matter of either cost or uncertainty.

A third difficulty, as to the general supply of Fish in the metropolis, attends the distribution and retail of it; a difficulty that is aggravated by the local situation of Billingsgate market. For it will be obvious, that the cost and labor of the poor basket woman, who can afford to buy only a small lot of fish, must be greatly increased, by her being obliged personally to attend at Billingsgate between three and six o'clock in the morning on account of her little purchase, and to return with it several miles on her head, before she can begin her sale; and it will be equally obvious that this cost and labor must be paid with some addition by the consumer. This evil would be in a great measure done away by the establishment of a Fish-market in Westminster; which would, at the same time, partly obviate another difficulty occasioned by what has been already noticed, the basket women giving up the sale of Fish as soon as they are able to deal in fruit, which they can purchase at *a more central and convenient market*; a difficulty which would no longer exist when a Westminster Fish Market was opened in a spot, equally convenient with that for fruit and vegetables at Covent Garden; or if it did continue to exist in any degree, would be wholly removed by other persons being induced to enter into the same business.

A fourth obstacle to the use of Fish in the metropolis is the *uncertainty* of its price, and the perfect ignorance in which we are kept as to the *daily state* of the supply. The housekeeper, who is going to market, knows pretty correctly what will be the price of mutton, beef, bread, cheese, butter, milk, and almost every other article of subsistence; but has no means of guessing whether Fish will

that morning be two-pence or two shillings a pound.* She knows that the butcher and the baker are obliged to govern their prices by a general standard ; but she supposes that it may in a great measure depend on the pleasure of the fishmongers, at what price they will serve her ; and thus Fish becomes in a great degree a *prohibited article* in London, and is confined to the tables of the rich and luxurious ; and that which might be very cheap and plentiful, and a universal benefit to all, is excluded from the domestic arrangement of the great mass of its inhabitants. This, in its effects, is injurious to the fishmongers, as well as to the public ; reducing their trade to a tenth part of what it might be ; for at times, when there is even a glut of fish, there is no mode of diffusing the information, or of increasing the means of sale ; nor is there any reasonable ground to confide in, that what may be offered for sale, is not the stale fish of a former day. The most obvious remedy for this inconvenience seems to be, the giving notice every morning throughout the metropolis, of the state and prices of the Fish-market ; so as to enable every housekeeper to judge, how far it will be economical and desirable on that day, to derive a part or the whole of their family meal, from the morning's supply of the market.

Another measure might be adopted, to attract the attention of prudent families more to the extent of supply, and the relative cheapness of the day ; and that would be by inducing some of the dealers to affix in their shops the daily prices of their Fish for sale ; as has been recently done by a fishmonger in Lower Brook Street, who has derived a considerable degree of custom from that circumstance. The prices of Fish in the metropolis were indeed formerly regulated by tables of prices, fixed by His Majesty in Council, which the dealers in Fish were not allowed to exceed : and there existed in Athens a law :

which is noticed by Athenæus (and a similar regulation existed in Venice) that fishmongers should have tables in their shops, inscribed with the price of their Fish; and that they should be subject to imprisonment, if they took less than the affixed price. This is mentioned, not with an idea of proposing such a law, but merely of suggesting whether it may not be expedient, to endeavour to engage some of the fishmongers to fix and announce in their shops their prices, for the benefit of themselves and others.

How far, in addition to these and any other measures to be adopted for removing the present impediments and obstacles to the supply of the metropolis, it would be expedient to take any other means, by rewards or otherwise, to force the supply beyond its natural course, may be very doubtful; not only, because the effects of bounties appear in many cases to be uncertain and equivocal, but that in every instance where the industry and cupidity of man are operating in any speculation or trade, the true policy is to leave him as free as may be, honestly to profit by his own exertions; removing at the same time, as far as is practicable, every artificial and natural obstruction which may check or impede his course.

The benefits to accrue from the removal of the present obstacles to a more general use of Fish in this country, may be classed under the heads of FOOD, OCCUPATION, NURSERY FOR SEAMEN, AND INCREASE OF TRADE.—The greater part of Norway derives five-sixths of its food from Fisheries, without which its population could not exist. It is not desired, nor may it ever be expedient or necessary, to carry the use of Fish to even a third of that comparative amount. But if *one fourth* only of the subsistence of this country were derived from Fish (the other three parts being chiefly composed of corn, meat, and potatoes) and an equal quantity were exported in exchange for the wheat,

rice, and other produce of foreign countries, it would not only provide for an additional population of above four millions, but would supply the whole of the inhabitants of Great Britain, with more nutritive and palatable diet than they now enjoy; as the saving in butcher's meat by the middle classes might allow a greater proportion of it for the poor, instead of their present scanty and too general diet of bread, water, and tea.

The extension of our Fisheries would, at the same time, afford employment for a numerous class of courageous and adventurous individuals; who are too volatile to fix in any settled and steady course of labor at home, and are not disposed to engage in long and distant voyages abroad. To them, the brief adventures of a fishing boat, and the lottery and uncertain profits which it offers, so congenial to many minds, would be very acceptable; particularly to boys of spirit and hardihood, who are too generally bred up in vicious courses, and do now make the noxious and offensive part of our population. At the same time it would provide great and unfailing nurseries for our navy, — THE BULWARK, THE DEFENCE, AND THE GLORY, OF THE UNITED KINGDOM.

The benefit of this addition to our export trade, in exchange for the produce of other countries, it may be unnecessary to expatiate upon; suffering as we have been for many years past by the drainage of millions of bullion, annually remitted to foreign states, as the price of our daily subsistence. They therefore conclude their Report by observing, that it is by no means in their contemplation to interfere with any personal profit or pretensions; except so far as artifice or conspiracy, *if either of them should be found to exist*, may be necessarily affected, and occasionally checked, by the general measures of the Association. They trust, however, that any suspicions of undue artifice

or conspiracy will be found groundless ; and that all the desired advantages of the FISH ASSOCIATION may be obtained for the public, without prejudice to any individuals ; especially as the increase of quantity which *might* be sold by the fishmongers, if Fish were *universally* adopted as part of our daily food, would more than compensate for any reduction of price. They are anxious, therefore, to turn the attention of their countrymen to the expediency of converting the surrounding ocean into a mine of wealth, and a source of plenty ; the persons employed in it deriving abundant profit, without any other expense but labor ; not like the husbandman, (however excellent, useful, and honorable his occupation may be) waiting for the distant and uncertain produce of the land which he has cultivated, and of the seed which he has sown ; but reaping an unfailing and inexhaustible harvest without cost or toil.

March 10, 1813.

AN
ADDRESS
TO THE
PROTESTANTS
OF
GREAT BRITAIN AND IRELAND.
BY
CHARLES BUTLER, ESQ.
OF LINCOLN'S INN.

"I look upon my Roman Catholic Brethren as fellow subjects, and fellow Christians, believers in the same God, and partners in the same redemption: Speculative differences in some points of faith, with me, are of no account: They and I have but one religion,—the religion of Christianity. Therefore, as children of the same Father,—as travellers in the same road,—and seekers of the same salvation, why not love each other as brothers? It is no part of Protestantism to prosecute Catholics, and without justice to the Catholics, there can be no security for the Protestant Establishment; as a friend, therefore, to the permanency of this Establishment, to the prosperity of the Country, and the justice due to my Catholic Brethren, I shall cheerfully give my vote, that the Bill be committed."—Extract of the Bishop of Kilmala's Speech in the House of Lords, 13th of March 1793, on the Bill for the Relief of His Majesty's Roman Catholic Subjects.

1813.

ADDRESS

TO THE

PROTESTANTS OF GREAT BRITAIN AND IRELAND.

IN the last Sessions of Parliament, the House of Commons came to a Resolution, that “the House would, early in the next Session, take into its most serious consideration the Laws affecting His Majesty’s Roman Catholic Subjects in Great Britain and Ireland, with a view to such final, conciliatory adjustment, as might be conducive to the peace of the United Kingdom, stability of the Protestant Establishment, and the general satisfaction and concord of all classes of His Majesty’s subjects.”

Encouraged by this Resolution, the Roman Catholics of England and Ireland intend presenting immediately separate Petitions to each House of Parliament, “for a repeal of the penal and disabling Statutes, which still remain in force against them.”

In the mean time, they observe with great concern and surprise, that attempts are made to prejudice the Legislature against their application. Many erroneous, artful, and inflammatory publications of this tendency, have been actively and extensively circulated. The charges brought in them against the Roman Catholics, are of the most serious nature. The object of this Address to you, is to answer these charges; and to state to you, succinctly, the grounds of the intended application of the English Roman Catholics to the Legislature for relief. The greatest part of what is intended to be said in the Address will apply, in great measure, as much to the situation of the Irish and Scottish, as to the situation of the English Roman Catholics; but as the penal codes of Ireland, and England, in respect to Roman Catholics, are very different, it has been thought advisable to confine the present Address to the case of the English Roman Catholics only.

• 1.

It is generally represented in the publications of which we complain, that the English Roman Catholics *labor under no real grievances*; and that, if all the remaining penal laws against them were repealed, *the number of those, who would be really benefited by the repeal, would be too insignificant to make their relief an object of Legislative concern.*

But this representation is altogether erroneous—the English Catholics labor under many severe penalties and disabilities: their whole body is affected by them, and would be essentially benefited by their removal.

1st. By the 13th Charles 2d, commonly called the Corporation Act, their whole body is excluded from offices in cities and corporations.

• 2d. By the 25th Charles 2d, commonly called the Test

Act, their whole body is excluded from civil and military offices.

How injurious these Acts are, both to the public and to the individuals on whom they operate, appeared in 1795; in which year, during the then great national alarm of invasion, Lord Petre, the grandfather of the present Lord, having, with the express leave and encouragement of Government, raised, equipped, and trained, at his own expense, a corps of 250 men for His Majesty's service, requested that his son might be appointed to the command of them. His son's religion was objected, his appointment was refused, and another person was appointed to the command of the corps. You cannot but feel how such a conduct tended to discourage the Catholics from exertions of zeal and loyalty. But the noble family had too much real love of their country to recede from her service, even under these circumstances. His Lordship delivered over the corps, completely equipped and completely trained, into the hands of Government, and his son served in the ranks. Surely you cannot think that laws, which thus tend to alienate the hearts, and paralyze the exertions of those who, in the hour of danger, thus wished to serve their country, are either just or wise.

3d. By the 7th and 8th of William 3d, ch. 27. Roman Catholics are liable to be prevented from voting at elections.

4th. By the 30th Car. 2d. s. 2. c. 1. Roman Catholic Peers are prevented from filling their hereditary seats in Parliament.

5th. By the same Statute, Roman Catholics are prevented from sitting in the House of Commons.

6th. By several Statutes, Roman Catholics are disabled from presenting to advowsons, a legal incident of property, which the law allows even to the Jew.

7th. Though a considerable proportion of His Majesty's fleets and armies is Roman Catholic, not only no provision is made for the religious comforts and duties of Roman Catholic soldiers and sailors, but, by the Articles of War, they are liable to the very heaviest pains and penalties for refusing to join in those acts of outward conformity to the religious rites of the Established Church, which a Roman Catholic considers to amount to a dereliction of his faith. By the Articles of War, sect. 1. a soldier absenting himself from divine service and sermon, is liable, for the first offence, to forfeit one shilling; and for the second, and every other offence, to forfeit one shilling, and to be put in irons. By the same Articles, sect. 2. art. 5. "If he shall disobey any lawful command of his superior" (and, of course, if he shall disobey any lawful commands of his superior Officer to attend divine service and sermon) "he shall suffer death, or such other punishment as by a General Court-Martial shall be awarded."

In the last Parliament, it was shown, that a meritorious private, for refusing (which he did in the most respectful manner) to attend divine service and sermon according to the rites of the Established Church, was confined nine days in a dungeon on bread and water.

The Roman Catholics acknowledge, with gratitude, the virtual suspension of these laws, in consequence of the Orders recently issued by His Royal Highness the present Commander in Chief, and the facilities which they afford for enabling the Roman Catholic soldiers to attend their own religious worship; but they beg leave to observe, that these humane regulations still want the firm sanction of law, and therefore, to a certain extent, are still precarious: and are not *always* attended to.

8th. In common with the rest of His Majesty's Subjects, the Roman Catholics contribute to the religious establish-

ment of the country; they have also to support their own religious functionaries; and thus have a double religious establishment to defray. Of this, however, they do not complain; but they think it a serious grievance that their own religious endowments are not legalized like those of the Protestant Dissenters.

In hospitals, workhouses, and other public institutions, the attendance of the Ministers of their own communion is sometimes denied to the poor of the Roman Catholic Religion, and the children of the Roman Catholic poor are sometimes forced into Protestant schools under the eyes of their parents.

II.

Such, fellow subjects, is the particular operation of the principal laws still remaining in force against your English Catholic brethren.—The *general effect* of them is, to depress every member of the body below his legitimate level in society.

Even in the very lowest order of the community, some situations conferring comfort, emolument, or distinction, are open to the individuals of that class, and in proportion as the several classes of society rise into importance, these situations are multiplied. From all of them, the law excludes the English Catholic. This effectually places him below his Protestant brethren of the same class, and makes the whole body, in the estimation of the community, a depressed and insulated cast.

This, the Roman Catholics severely feel; but it is not by its substantial effects alone that they feel their depression. Some avenues of wealth are still open to them—none to honors or distinctions. Thus, thousands of those possibilities, the prospect and hope of which constitute a large proportion of the general stock of human happi-

ness, are peremptorily denied to the Roman Catholics. No hope of provision, of preferment, of honors, or dignity, cheers their souls or excites their exertions. A Roman Catholic scarce steps into life when he is made to feel that nothing which confers them is open to him; and however successful his career may have been, it seldom happens that his success has not been, on more than one occasion, either lessened or retarded by the circumstance of his having been a Roman Catholic.

Here then, our Protestant countrymen are called upon to place themselves in our situation; and to reflect, what their own feelings would be, if, from a conscientious adherence to their religious principles, they belonged to a class thus legally degraded. How often would they substantially feel the effects of this degradation? How many of their hopes would it destroy? How many of their projects would it ruin? Surely, a Petition to the Legislature from any portion of His Majesty's subjects, for the removal of such a woe, is entitled to the sympathy and aid of every other portion of the community.

III. . . .

We are sometimes told, that *however the repeal of the laws complained of by the Roman Catholics would benefit them, it would confer no real benefit on the State*; and that, as no alteration of law should take place, unless it promotes the general welfare of the State, the laws complained of should remain in force.

But we beg leave to submit to the consideration of our countrymen, that the whole kingdom would be essentially served by the repeal of the penal laws remaining in force against His Majesty's Roman Catholic subjects. On this head, the writer of these pages requests your particular attention.

Two-thirds of the population of Ireland, and no inconsiderable proportion of the population of England, is composed of Roman Catholics. It is obvious that the feelings of this large proportion of the community are wounded, in the highest degree, by the penal and disabling laws to which they are subject; and that they consider themselves highly injured, insulted, and degraded by them. Now, must it not be beneficial to the State, that this extensive feeling of insult, injury, and degradation, should be healed? Do not wisdom and sound policy make it the interest of the State, that every circumstance which leads this injured, insulted, and degraded, but numerous, portion of the community, to think that any new order of things must end their injury, insult, and degradation, and is, therefore, desirable, should be removed as soon as possible? Surely the removal of it must be as advantageous to the State, as it will be advantageous and gratifying to the persons individually benefited by it.

But this is not the only circumstance, which would make the repeal of the penal laws a general benefit to the State. Again we request you to consider the immense number of His Majesty's Roman Catholic subjects, and the great proportion which it bears to the rest of the community. What a proportion of genius, of talent, of energy, of every thing else, by which individuals are enabled to distinguish themselves, and benefit and elevate their country, must fall to their share!—But all this, for the present, is lost to you, in consequence of the penal codes. Is the subtraction of this prodigious mass of probable genius, talent, and wisdom, from the general stock, no detriment to the State? Surely it is a national loss. Thus, while the penal code harasses the individual object of its infliction, it contracts and paralyzes, to an amazing degree, the strength, powers, and energies of the whole community.

IV.

It is alleged, *that the Roman Catholics of this kingdom enjoy the most full and liberal Toleration; and that Toleration is the utmost favor, to which any non-conformist to the religion, established by law, can reasonably aspire.*

To this, we beg leave to answer, that Toleration, rightly understood, is all we ask for by our Petition. But what is toleration, when the word is rightly understood? If, after a Government has adopted a particular religion, decreed its mode of worship to be observed in its churches, and provided for its functionaries, from the funds of the State, it leaves the non-conformist in complete possession of all his civil rights and liberties, the non-conformist enjoys a full and complete Toleration. But whenever the Government of a country represses other forms of religion, by subjecting those who profess them, to any deprivation or abridgment of civil right or liberty, toleration is at an end, and persecution begins.

This is too plain a position to admit of contradiction: the only question, therefore, is, Whether the pains and penalties to which the Roman Catholics are still subject by the laws in force against them, deprive them of any civil right or liberty?

To meet this question fully, I shall consider how far the Corporation Act, which excludes us from Corporations, and the Test Act, which excludes us from Civil and Military offices, can be justly said to deprive us of a civil right. I prefer placing the question on these Acts, because, by their own confession, it is the strongest hold of our adversaries, and because, in the discussion of that question, thus propounded, I shall advocate the cause of the Protestant Dissenters as much as our own.

Our common adversaries contend, that the exclusion of Non-conformists, by the Test and Corporation Acts, from honorable and lucrative offices, is not a punishment, and therefore is not intolerance.

But before the enactment of those statutes, were not all the subjects of this realm equally eligible, by the common law of the land, to every honorable and every lucrative office which the State could confer? Is not eligibility to office a civil right? Does it not, therefore, necessarily follow, that every statute which deprived non-conformists of their right or eligibility to office, deprived them of a civil right, and was therefore penal? If Roman Catholics had been in possession of these offices, and deprived of them in consequence of their adherence to their religion by the statutes in question; some persons might have contended for the wisdom of the statutes, but none could have contended, that they were not highly penal. But whatever difference there may be in the degree of penal infliction, there is none in the penal quality of those statutes, which deprive persons of offices, and those which deprive them of their prior legal eligibility to them. The right of possessing an office, the right of succeeding to it, and the right of eligibility to it, are equally civil rights. There is no difference in this respect between offices and landed property—the right to possess an estate, to succeed to it, and to acquire it, are equally civil rights. The justice or policy of these laws is not now under our consideration—the simple question before us is, Whether eligibility to offices and election into corporations, were not by the common law the civil right of every Englishman, and whether his being deprived of it was not a penal infliction? It is impossible to deny it. This infliction reaches every description of non-conformists to the

Established Church; their religion, therefore, is not tolerated—it is persecuted. On the policy, the justice, or degree of that persecution, there may be a difference of opinion; but that, in some degree at least, it is a persecution, it seems impossible to deny. Thus we seem to arrive at this unquestionable conclusion, that, in point of fact, all non-conformists are persecuted. The difference between Roman Catholics and other non-conformists is, that Roman Catholics are subject to pains and disabilities which do not affect any other description of non-conformists. The Roman Catholics, therefore, are the most persecuted of all.

Here then we close with our adversaries; we seek not to interfere with the Established Church, with her hierarchy, with her endowments, with her tythes, with any thing else that contributes to her honor, her comfort, or her security. Give us but toleration in the true sense of that much-abused word, and we claim no more. By the oath prescribed to the Roman Catholics of Ireland, by the 33d of his present Majesty, the Roman Catholic swears—"That he will defend, to the utmost of his power, the settlement and arrangement of property in that country, as established by the laws now in being; and he thereby disclaims, disavows, and solemnly abjures any intention to subvert the present Church establishment, for the purpose of substituting a Catholic establishment in its stead; and he solemnly swears, that he will not exercise any privilege to which he is or may be entitled, to disturb and weaken the Protestant religion, and Protestant government in that kingdom."

V.

But it is suggested, that *though it should be conceded, that all other non-conformists to the Church of England, ought to be admitted to a free and complete toleration, the*

Roman Catholics should be excluded from it on account of their acknowledgment of the Supremacy of the Pope.

This admits of a very easy answer. The Roman Catholics certainly acknowledge the spiritual supremacy of the Pope: but they deny his temporal authority. They acknowledge no right, either in the Pope, or in any Council, to interfere in any manner in temporal concerns, or to interfere, by any mode of temporal power, in concerns of a spiritual nature. By the oath prescribed to the English Roman Catholics, by the 31st of his present Majesty, we swear, that "we do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority or pre-eminence, directly or indirectly, within the realm."

The Irish and Scotch Roman Catholic subjects of his Majesty take a similar oath. The answers given by the foreign universities to the questions proposed to them by the direction of Mr. Pitt, the doctrines laid down in all our Catechisms, and other standard books of authority, express the same belief. In the oath taken by the Irish Roman Catholics, they swear, that "it is not an article of the Catholic faith, and that they are not thereby bound to believe or profess, that the Pope is infallible; or that they are bound to obey any order, in its own nature immoral, though the Pope or any ecclesiastical power should issue or direct such an order; but that, on the contrary, they hold it sinful in them to pay any regard to such an order."

It is said, that the Popes on several occasions have claimed and exercised the right of temporal power. We acknowledge it, and we lament it. But the fact is of little consequence; no Roman Catholic now believes, that either Pope or Council, or both Pope and Council acting together, have or ought to have any right to interfere by any form or

mode, either of temporal or spiritual power, in civil concerns; or to interfere by any form or mode of temporal power, in spiritual concerns. This the Irish, Scottish, and English Roman Catholics have sworn, and they act up to their oaths.

VI.

I proceed to another charge:—*It is asserted to be a tenet of our faith, or, at least, a received opinion among us, that the Pope or the Church has a right to absolve subjects from their allegiance to their Sovereign.*

But this doctrine has been most solemnly abjured by us, in the oaths which we have taken to Government. It is disclaimed by the opinions of the foreign universities; and Pope Pius the VIth proscribed it, by his rescript of the 17th of June 1791.

VII.

The same may be said of the charge brought against us, of holding it lawful to kill any Sovereign or any private person under excommunication. This doctrine is also disclaimed by us, in our oaths, as “unchristian and impious;” it is disclaimed in terms, equally strong, in the answers of the foreign universities; and Pope Pius the VIth, in his rescript of 1791, solemnly declares such a murder “to be a horrid and detestable crime.”

VIII.

The same answer may also be given to the charge, of its being a tenet of our Church, that it is lawful to break faith with heretics. In our oaths, we disclaim that doctrine also, “as impious and unchristian;” and the terms in which it is disclaimed in the answers of the foreign universities, are equally strong. But, without entering further on the

subject of this charge, we make this solemn appeal upon it, to the feelings and common sense of every reader of these pages:—Does not the single circumstance of our being, after the lapse of two hundred years, petitioners to Parliament for the repeal of the penal and disabling laws to which we are subject, in consequence of our not taking oaths, the taking of which would, at once, have delivered us from all these penalties and disabilities, prove, beyond all exception and argument, that we do not believe the existence of any power which can dispense with the obligation of an oath? On this head, I beg leave to add my own testimony—having, in almost every stage of life, lived in habits of acquaintance or intimacy with all descriptions of Roman Catholics; the young, the old, the literate, the illiterate, foreigners and natives, ecclesiastic and secular, I never knew one who did not hear the charge in question with indignation, and treat it as an execrable calumny.

But it is said, that the Council of Lateran assumed a right to temporal power, and that the Council of Constance authorised the violation of the safe-conduct granted to John Huss. Both those facts are positively denied by the Roman Catholics. This is “not a place for discussing the point—but, what does it signify?—If the Council of Lateran claimed for the Pope, or itself, a right to temporal power, it did wrong; if the Council of Constance authorised the violation of the safe-conduct, it did infamously, and there’s an end on’t.

IX.

Having had frequent occasion to mention in these pages *the answers of the Foreign Universities to certain questions proposed to them by the direction of Mr. Pitt*, the reader will probably wish to be better informed of the circumstances attending the transaction.

In the year 1788, the Committee of the English Catholics waited on Mr. Pitt, respecting their application for a repeal of the Penal Laws. He requested to be furnished with authentic evidence of the opinions of the Roman Catholic Clergy, and the Roman Catholic Universities abroad, "on the existence and extent of the Pope's dispensing power." Three questions were accordingly framed, and submitted to his approbation. As soon as it was obtained, they were sent to the Universities of Paris, Louvain, Alcala, Douay, Salamanca, and Valladolid, for their opinions.—The questions proposed to them were—

1. Has the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or pre-eminence, whatsoever, within the realm of England?

2. Can the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

3. Is there any principle in the tenets of the Catholic Faith, by which Catholics are justified in not keeping faith with heretics, or other persons differing from them in religious opinions, in any transaction, either of a public or a private nature?

The Universities answered unanimously—

1. That the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, HAS NOT any civil authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England.

2. That the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, CANNOT absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever.

3. That there is NO principle in the tenets of the Catho-

lic Faith, by which Catholics are justified in not keeping faith with heretics, or other persons differing from them, in religious opinions, in any transactions, either of a public or a private nature.

Nothing can be more explicit than the answers of the foreign universities—some of them express perfect wonder, that such questions should be proposed to them by a Nation that glories in her learning and discernment.

As soon as the opinions of the Foreign Universities were received, they were transmitted to Mr. Pitt. But the Roman Catholics wish it to be most distinctly understood, that it was for *his* satisfaction, not *theirs*, that these opinions were taken. Assuredly, His Majesty's Roman Catholic subjects did not want the wisdom of Foreign Universities to inform them, that His Majesty is the lawful sovereign of all *his* Roman Catholic subjects, and that by every divine and human law, his Roman Catholic subjects owe him true, dutiful, active, and unreserved allegiance.

The originals of these questions and of the answers to them, with the notarial authentications of them, have been produced in the House of Commons by Sir John Cox Hhipisley. They are in the custody of the writer of these pages, and are open to the inspection of every person who wishes to inspect them.

X.

It is also objected to the Roman Catholics,* that it is *an article of their faith*, or, at least, that they consider it to be lawful, to persecute Heretics for their religious opinions. All this the Roman Catholics most explicitly deny, and they consider it is completely denied in the solemn disclaimers made by them in all their oaths, of the direct or indirect right of the Pope or the Church to temporal power; as, without temporal power, persecution cannot subsist.

They admit that many persons of their communion both ecclesiastic and secular, have, at different times, been guilty of the crime of religious persecution; but they blame the conduct of those persons, as severely, as it is blamed by their Protestant brethren.

They also plead a tremendous set-off. The massacre of Paris, on St. Bartholomew's day, was most horrid; but it had been preceded by the atrocities, full as horrid, of the Anabaptist Protestants at Munster. To the burnings, in the reign of Queen Mary the Roman Catholics oppose the executions of Priests in the reigns of Queen Elizabeth, and the three first Princes of the House of Stuart: they apprehend, that more cannot be said against the revocation of the Edict of Nantes, than against the deprivation of two thousand Presbyterian Ministers of their livings, by the Act of Uniformity. They also bring into account, Oates' plot; the sentence of death passed on Servetus for errors against the Trinity, through the influence of Calvin, his execution, and the justification of it by two of the principal pillars of the Reformed Church, Melancthon and Beza. Between these enormities it is not easy to strike a balance. But the Roman Catholics may justly ask, by what principle of justice, or by what fair course of reasoning, the Protestant is authorised to ascribe the instances of persecution, which he proves on Roman Catholics, to a principle of the Roman Catholic Creed, unless he allows at the same time, that the instances of persecution which the Catholic proves in the Protestant Church, are equally attributable to some principle of the Protestant Creed. "Brother, brother (say two known characters on the stage) we have both been in the wrong."—Let us learn wisdom from them; let us no more upbraid one another with our common failings; let us forget and forgive, bury all past animosities in oblivion, shake hands and be friends. This

is the only rational mode of closing this—by far the most disgusting and disgraceful of all our controversies.

XI.

Another charge is brought against us by our adversaries, in consequence of the *Doctrines imputed to us respecting Sacerdotal Absolution*. We are said to believe that the mere absolution of a Priest, without any thing on our part, is a full remission of sin. In answer to this, we shall only transcribe the following passage from the Book of Prayers, for the use of Catholics, serving in Fleets and armies:—“You know, from the Catechism you have learnt, and the Books of Catholic instruction you have read, that the absolution of a Priest can be of no benefit to you, unless you be duly disposed to a reconciliation with your offended God by true faith, by a sincere sorrow for all your sins, by a firm resolution never to commit them again, and by a willingness to satisfy God and your neighbour also, as far as justice requires. Without those dispositions on your part, the act of the Priest would not be ratified in Heaven; you would be guilty of the profanation of the Sacrament of Penance, and provoke the indignation of the Almighty instead of obtaining his mercy.”

It is not a little remarkable, that a Canon of the English Church, in 1608, enjoining the Priest not to make known to any one what had been revealed to him, bears such a similitude to the Roman Catholic doctrine on this head, that when it was produced by Sir John Cox Hippisley in the House of Commons, Mr Wilberforce interrupted him, by saying, that it was a Canon, not of the English but the Romish Church, and expressed his astonishment when Sir John Hippisley showed it to be one of the most recent Canons which had been formed for the government of the Established Church.

XII.

'One of the objections most strongly urged against the Roman Catholics, is *the tenet imputed to them, that none are saved out of their communion.*

I beg leave not to enter into a discussion of this objection, as it cannot be urged to us by a Protestant of the Established Church of England, as the Athanasian Creed forms a part of her Liturgy, and he swears that our doctrine of transubstantiation is damnable; or by a Protestant of the Established Church of Scotland, as the Protestants of that Church, in their Profession of Faith of 1568, say, that "out of the Church there is neither life nor everlasting happiness;" or by a Protestant of the French Huguenot Church, as in their Catechism, on the tenth article of the Creed, they profess, that "out of the Church there is nothing but death and damnation."

XIII.

This leads us to observe, that *passages are often cited from the works of Roman Catholic writers, which express, that the Roman Catholic religion has always been the same; and that those who say that the modern Roman Catholics differ in one iota from their predecessors, either deceive themselves or wish to deceive others.* These passages have been cited to prove, that whatever doctrine any Pope or any ecclesiastical body, or any writer of approved authority, has maintained or sanctioned in former times, is universally approved of by the modern Catholics. But this is a very unjust perversion of the meaning of the writers, from whose writings these passages, or passages of a similar import, are cited. Not one of them approves of any act of temporal power which the Pope or any body of Churchmen have ever claimed in right of their spiritual

character. In the cited passages, the writers mean to assert no more than that the faith and essential discipline of Roman Catholics have always been what they now are. But they admit that the resort of the Popes, or of any other ecclesiastics, to temporal power, for effecting the object of their spiritual commission, was not only no part of the faith or essential discipline of the Church, but was diametrically opposite to its faith and discipline. The passages, therefore, to which we allude, can never be brought to prove the position for which they are quoted. To urge them for such a purpose, is evidently a gross perversion of their meaning.

XIV.

I shall only notice one further objection:—*The supposed immensity of the distance, between the Creed of the Established, and the Creed of the Roman Catholic Church; from which, it is inferred, that there always must be a spirit of religious discord, and never a communion of civil rights between the members of them.*—To this, the experience of mankind gives a clear answer,—If you remove persecution, you remove discord. If you do not compel a person to enter your church, he will shake hands with you at the door of it: and many years will not pass away before you will meet at the same altar.

But, is the difference between the churches really as great as it is generally thought?—The divine precept, that we should love our neighbour as ourselves, is equally recognised by Protestants and Roman Catholics. They are equally willing to have their conduct, on every occasion of life, tried by that golden rule. What further can Government require, on the moral code of her subjects?

In respect to their religious code,—All Christians agree, first, that there is one God; secondly, that he is a Being of infinite perfection; thirdly, that he directs all things, by

his providence; fourthly, that it is our duty to love God, with all our hearts; fifthly, that it is our duty to repent of our sins; sixthly, that God pardons the truly penitent; seventhly, that there is a future state of rewards and punishments, where all mankind shall be judged according to their works; eighthly, that God sent his Son into the world, to be its saviour, the author of eternal salvation to all that obey him; ninthly, that he is the true Messiah; tenthly, that he worked miracles, suffered, died, and rose again, as is related in the four gospels; and eleventhly, that he will, hereafter, make a second appearance on the earth, raise all mankind from the dead, judge the world in righteousness, bestow eternal life on the virtuous, and punish the workers of iniquity.

In the belief of these articles, all Christians, Roman Catholics, Lutherans, Calvinists, Arminians, and Socinians, are agreed. In addition to these Articles, each division and subdivision of Christians has its own tenets. Now, let each settle among its own members, what are the Articles of belief, peculiar to them, which in their cool, deliberate judgment, they consider as absolutely necessary that a person should believe, to be a member of the church of Christ; let these Articles be divested of all foreign matter, and expressed in perspicuous, exact, and unequivocal terms; and above all, let each distinction of Christians earnestly wish to find an agreement between themselves and their fellow Christians:—the result of a discussion, conducted on this plan, would most assuredly be, to convince all Christians, that the essential Articles of religious credence, in which there is a real difference amongst Christians, are not very numerous; and that, if the reunion of Christians be no more than a golden dream, the possible approximation to it is nearer, than is generally supposed.

And, after all, is the Reunion of the Roman Catholic and Protestant Churches, absolutely impossible?—Bossuet, the glory of the Roman Catholic Church, and her ablest champion, thought it was not.—Towards the end of the 17th century, the Emperor Leopold, and several princes in Germany, conceived a project of re-uniting the Roman Catholic and Lutheran Churches. In consequence of it, a correspondence took place between Bossuet, on the part of the Roman Catholics, and Molanus and Leibniz, on the part of the Lutherans. Molanus was director of the Protestant Churches and consistories of Hanover; Leibniz was a member of the Aulic Council. In the exact sciences, he was inferior to Newton alone; in metaphysics, he had no superior; in general learning, he had scarcely a rival; in the theological disputes of the times, he was singularly conversant. The correspondence between these great men, on the subject of the re-union, may be seen, in the *Œuvres Posthumes de Bossuet, Vol. I.*; *Nouvelle Edition des Œuvres de Bossuet, Vol. XI.*; *Leibnizii Opera, studio Lud. Dutens, Vol. I. § I.*; and the *Pensées de Leibniz, 2 Vol. 8vo.* Every word of the correspondence deserves the perusal, both of the Scholar and the Divine. A short view of it is given, in the Account of the Life and Writings of Bossuet, recently published by the writer of these pages. It continued during ten years:—I shall transcribe from it, the two following passages, from the letters written by Bossuet to Leibniz. “The Council of Trent,” he says in one of them, “is our stay; but, we shall not use it, to prejudice our cause. We shall deal more fairly with our opponents. We shall make the council serve for a statement and explanation of our doctrines. Thus, we shall come to an explanation on those points, in which, either of us imputes to the other, what he does not believe, and, on which, we dispute, only because we misconceive each

other. This may lead us far: *for, Molanus has actually conciliated the points, so essential, of Justification and the Eucharist. Nothing is wanting to him, on that side, but, that he should be avowed. Why should we not hope, to conclude, in the same manner, disputes less difficult and of less importance?* The letter, from which the passage is extracted, was written in an early stage of the controversy: what might not be hoped from such a spirit of good sense and conciliation!—The letter, from which the following passage is extracted, was written in the tenth year of the correspondence: and I feel, that every reader of these pages will lament, with me, that it is the last letter in the correspondence. “Among the divines of the Confession of Augsburgh,” says Bossuet, “I always placed M. Molanus in the first rank, as a man, whose learning, candor, and moderation, made him one of the persons, the most capable I have ever known, of advancing the NOBLE PROJECT OF RE-UNION. In a letter, which I wrote to him some years ago, by the Count Balatis, I assured him that, *if he could obtain the general consent of his party, to what he calls his Cogitationes Privatae, I promised myself, that, by joining to them the remarks which I sent to him, on the Confession of Augsburgh, and the other symbolic works of the Protestants, the work of the Re-union would be perfected, in all its most difficult and most essential parts; so that well-disposed persons might, in a short time, bring it to a conclusion.*”

XV.

Such, then, being the charges brought against the Roman Catholics by their adversaries, and such being the defence made by the Roman Catholics to them, will not every candid Protestant admit, that the unfavorable opinion,

which some still entertain of the civil and religious principles of Roman Catholics, is owing, in a great measure, to prejudice?

But we have the satisfaction to find, that *the prejudice against us decreases rapidly*. With the mildness and good sense which distinguishes his respectable character, the Earl of Liverpool thus expressed himself, in his speech in the debate of the House of Lords, on the Petition presented by the Irish Catholics in 1810:—"I have heard allusions made this night, to doctrines, which I do hope no man now believes the Catholics to entertain: nor is there any ground for an opinion that the question is opposed under any such pretence. The explanations which have been given on this head, so far as I know, are completely satisfactory, and the question as it now stands, is much more narrowed than it was on a former discussion."—[See his Lordship's Speech, printed and published by Keating and Booker.] How very little beyond this declaration, and a Legislative enactment in consequence of it, do the Roman Catholics solicit!

CHARLES BUTLER.

*Lincoln's Inn,
February 5, 1813.*

P. S.—Since this Letter was written, I hear, with infinite pleasure, that, by a legislative decree of the Cortes, the SPANISH INQUISITION IS UTTERLY ABOLISHED.—So perish every mode of Religious Persecution, by whom or against whomsoever raised!

I.

The OATH and DECLARATION prescribed by the
British Parliament of the 31st of His present Majesty,
AND WHICH IS TAKEN BY ALL ENGLISH CATHOLICS.

" I *A. B.* do hereby declare, That I do profess the Roman Catholic Religion.

" I *A. B.* do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George the Third, and him will defend to the utmost of my power against all conspiracies and attempts whatsoever that shall be made against his Person, Crown, or Dignity. And I will do my utmost endeavour to disclose and make known to His Majesty, his Heirs and Successors, all Treasons and Traitorous Conspiracies which may be formed against him or them : And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the Succession of the Crown ; which Succession, by an Act, intituled, ' An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' is, and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the Heirs of her Body, being Protestants ; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of these Realms. And I do swear, That I do reject and detest as an unchristian and impious position, that it is lawful to Murder or Destroy any person or persons whatsoever, for, or under pretence of, their being Heretics or Infidels ; and also that unchristian and impious Principle, that faith is not to be kept with Heretics or Infidels : And I further declare, that it is not an Article of my Faith ; and that I do renounce, reject, and abjure the Opinion, that Princes excommunicated by the Pope and Council, or any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their Subjects, or

any person whatsoever : And I do promise, that I will not hold, maintain, or abet any such Opinion, or any other Opinions contrary to what is expressed in this Declaration : And I do declare, that I do not believe that the Pope of Rome, or any other foreign Prince, Prelate, State, or Potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm : And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this Declaration, and every part thereof, in the plain and ordinary sense of the words of this Oath, without any Evasion, Equivocation, or Mental Reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatever, and without thinking that I am, or can be, acquitted before God or man, or absolved of this Declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with, or annul the same, or declare that it was null or void. So help me God."

II.

The OATHS and DECLARATIONS prescribed by the Acts of the Irish Parliament to IRISH ROMAN CATHOLICS.

The first is the *Oath of Allegiance and Declaration*, prescribed by the Irish Act of the 13th and 14th of His present Majesty ; and is taken by all Irish Roman Catholics.

"I, A. B. do take Almighty God, and his only Son Jesus Christ, my Redeemer, to witness, That I will be faithful and bear true Allegiance to our most gracious Sovereign Lord King George the Third, and him will defend to the utmost of my power against all conspiracies and attempts whatsoever that shall

he made against his Person, Crown, and Dignity; and I will do my utmost endeavour to disclose and make known to His Majesty, and his Heirs, all Treasons and traitorous Conspiracies, which may be formed against him or them; and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the Succession of the Crown in His Majesty's family, against any person or persons whatsoever, hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the stile and title of Prince of Wales, in the lifetime of his father, and who since his death is said to have assumed the stile and title of King of Great Britain and Ireland, by the name of Charles the Third, and to any other person claiming, or pretending a right to, the Crown of these Realms: And I do swear, That I do reject and detest, as unchristian and impious to believe, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being Heretics, and also that unchristian and impious principle that no faith is to be kept with Heretics: I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure, the opinion that Princes excommunicated by the Pope and Council, or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their Subjects, or by any person whatsoever; and I do promise, that I will not hold, maintain, or abet, any such opinion, or any other opinion, contrary to what is expressed in this Declaration: and I do declare, that I do not believe that the Pope of Rome, or any other foreign Prince, Prelate, State, or Potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this Realm: And I do solemnly, in the presence of God, and of his only Son Jesus Christ, my Redeemer, profess, testify, and declare, That I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this Oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any Person

whatever, and without thinking that I am, or can be acquitted before God or man, or absolved of this Declaration, or any part thereof, although the Pope, or any other person or persons or authority whatsoever, shall dispense with or annul the same, or declare that it was null and void from the beginning.

So help me God."

III.

The OATH and DECLARATION prescribed by the Irish Act of the 33d of His present Majesty, and is taken by all IRISH ROMAN CATHOLICS, wishing to entitle themselves to the benefit of that Act.

"I, *A. B.* do hereby declare, That I do profess the Roman Catholic Religion.

"I, *A. B.* do swear, That I do abjure, condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any persons whatsoever, for or under the pretence of being a Heretic : And I do declare solemnly before God, that I believe, that no act in itself unjust, immoral, or wicked, can ever be justified or excused, by or under pretence or color that it was done either for the good of the church, or in obedience to any ecclesiastical power whatsoever : I also declare, that it is not an Article of the Catholic Faith, neither am I thereby required to believe or profess, that the Pope is infallible, or that I am bound to obey any order in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order ; but on the contrary, I hold that it would be sinful in me to pay any respect or obedience thereto : I further declare, that I do not believe, that any sin whatever committed by me, can be forgiven, at the mere will of any Pope, or any Priest, or

of any person or persons whatsoever, but that sincere sorrow for past sins; a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness, and that any person who receives absolution without these previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a Sacrament : And I do swear, that I will defend, to the uttermost of my power, the Settlement and Arrangement of Property in this Country, as established by the Laws now in being : I do hereby disclaim, disavow, and solemnly abjure, any intention to subvert the present Church Establishment, for the purpose of substituting a Catholic Establishment in its stead : And I do solemnly swear, that I will not exercise any privilege to which I am or may become intitled, to disturb and weaken the Protestant Religion and Protestant Government in this Kingdom.

So help me God."

ANTICIPATION
OF
MARGINAL NOTES

• OF THE
Declaration of Government

OF THE
NINTH OF JANUARY, 1813.

• IN THE
AMERICAN NATIONAL INTELLIGENCER.

Festinate nocet, nocet et Cunctatio sapit ;
Tempore quicque suo qui facit, ille sapit.

PREFACE.

Audi alteram partem is a maxim of some antiquity, and of such universality that, from the sage to the schoolboy, it is uniformly allowed that no cause can be fairly decided without it. *Qui statuit aliquid, parte inaudita altera, Æquum licet statuerit, haud æquus est.*

It is to be regretted that the great affairs of Nations cannot be brought within the compass of this rule, and, considering the importance of the American Question, I confess, I should prefer waiting for the remarks of the Government of the United States, on the Declaration of the 9th ultimo, to discussing it this day.

As these cannot be had, however, I have endeavoured to provide a substitute in the shape of an American Newspaper Comment on that act.

It supposes a Commentator of some candor, and moderation ; not violently in love with our measures, but desirous of Peace with us ; no statesman, nor partizan of the Government ; but a culler of authentic papers ;—affecting to contradict nothing that can, and to assert nothing that cannot, be proved.

February 18th, 1813.

PREFACE TO THE SECOND EDITION.

IN consenting to the publication of a second edition of this work in the Pamphleteer, the author is influenced by the two-fold consideration, of the ephemeral nature of the work ; and the utility that may possibly be derived from its preservation. It certainly controverts very general opinions ; not to say matters of fact, asserted under very grave authority. Yet a re-consideration of the subject, with leisure to inspect the documents hastily referred to from memory, has produced no wish to amend, and very little to explain or embellish, either the assertions or the sentiments contained in it.

With an honest desire to have the important subjects it treats of fairly before the public ; a conviction of the truth it portrays ; and a humble assurance of a readiness to abandon any position that may be shown to have been

erroneously taken up ; the author commits it to a more durable form than it at first assumed.

If it be too much to hope that it will do any thing towards checking the strong current of what he conceives an erroneous opinion ; it is very possible a recurrence to it on a future day may show the necessity of a more critical investigation of ministerial pretensions, in time to prevent the mischief that must ensue from allowing them to pass current upon the world.

If there be nothing in a revision of the premises to excite a desire to alter them ; so neither has the author found a motive for such desire in any thing that has since occurred.—In the *Times* of the 22nd of February, a miserable “If”, of Buonaparté, (the strongest evidence that he cannot cheer his Myrmidons with the least hope of a connexion with America in the war,) is distorted into an alliance with that country. And, in the same paper of the 6th instant, the epithets of forgery and perjury, that have been used again and again in our own Senate, not only against American certificates of citizenship, but, unfortunately with too much truth, against the very measure to which the President of the United States applies them, have stamped his Message with the character of a document of the most violent and infuriated description.—So cruelly have the public been deceived in respect to the question of the wanton impressment of American seamen, that a man shall walk from Hyde Park corner to Charing Cross, and from Charing Cross to the Exchange, without meeting a subject that does not believe that the cause of complaint is on the side of Great Britain. Nay, the capture of our frigates is unblushingly, and very generally, ascribed to the disaffection of our own seamen fighting for America, with a rope round their necks. Whereas it is notorious all over America, and has been officially communicated to

this Government more than four years ago, "that already the ships of war of the United States had been ordered not to receive any of them, and to discharge such as were at that time on board;" "although we have seen no reports of any such being found on board the Nautilus that fell without resistance into the hands of our men of war; nor on board the Wasp, whose crew, after the capture of the Frolio, cannot be rated inferior to any; nor on board the United States, where, on the contrary, the officers of the Macedonian are said to have made diligent scrutiny without finding a single Englishman or English boy, save one solitary lad of sixteen.—If this report be untrue; the Purser, who is in England, can contradict it.

But the obvious cause of those disasters that have lowered that Pavilion that has hitherto rode proud Autocrat of the mountain wave, is the last to be taken into the account.—We look not to the numbers of those men who have been drilled to the trade of death, on board our own Men of War, by a discipline that taught their arm to fight, while it filled their bosoms with that deliberate vengeance that renders discipline invincible. And yet to understand this, we are only to consider what we should expect from our own men, dragooned and scourged, in the same manner, on board the ships of any foreign nation in the world.—If we believe that an honest English Tar would fight on his stumps in such a case, when his legs were shot away; why should we doubt the American doing the same? One would suppose there could hardly be a want of physical strength, or moral valor, in such a man, while a vein of his body was undrained.

Time was, when so direct a consequence of such a crying sin would have been considered a visitation of providence. So evident a concatenation of the crime and the penalty rarely occurs ; but we *will not* see it. Ten minutes is ample time to perceive it ; but it will take ten years to comprehend it.—In about that time, perhaps, all the world will be of one opinion on the subject ; as now, on the long contested question of the American revolution.—This is the usual course of things.—*Labitur et labetur*—In about that time too, we shall discover that the American propositions on this subject did not exact the surrender of any one of our Maritime Rights, but only such wholesome (it may be said profitable) modification of the practice as would remove a question involving every thing valuable in life, and life itself, from a party tribunal.—We need not look forward indeed for the evidence of this ; we may find it in the letter of instructions of Mr. Madison to Messrs. Monroe and Pinkney of so old a date as the seventeenth of May, 1806 ; where the proposition is not only reduced to a stipulatory form, which leaves the British principle untouched ; but is made in the very words that were agreed to by Lord St. Vincent, with the acquiescence of Lord Hawkesbury and Mr. Addington, in the project of a convention with Mr. King on the approaching renewal of the war ; and then only frustrated by an exception on the obsolete ground of peculiar privilege in the narrow seas.—But we *will* look forward ; and we *will not believe* a thing that happened seven years ago till ten years hence.—About that time too, we shall discover that the Commissioners, appointed in the Fox administration, to treat with the American Commissioners, waited only for the subsiding of a popular prejudice (most artfully raised by their opponents in politics) to accommodate and ad-

just this matter to the satisfaction of all concerned. This may be easily perceived now, in their subsequent correspondence with Mr. Canning ; but we *will not* see it in less than ten years, unless, (which God grant) we should agree on similar terms with some little technical difference ; and then it will be all fair enough to say they would have done it.

The subjoined correspondence¹ with the Editor of the Times, part of which has been printed in that paper and part refused insertion, is added with an equal view to exhibit these subjects in the light which the author conceives to be the true one ; with equal apprehension of the small chance of their meeting attention at present, and with equal confidence that time will develope the truths they contain ;—the truths ;—for, be it remembered, they pretend to no prophetic character ; nor will the author vouch for the correctness of any conjecture that these publications may contain.—There is an opinion hazarded, for example, in the letter of the 24th of October last to the Editor of the Times, that Marquis Wellesley differed pretty stoutly from his colleagues on the American subject ; yet his Lordship is reported to have said since, in the House of Lords, that the American government had been affected with a deadly hatred towards this country, and a deadly affection towards France. This tended to invalidate the former opinion ; and now Vetus, who is supposed to know the noble Marquis's sentiments as well as his own, comes forward to say that he would have proposed more conciliatory measures to America (an idea that his intercourse with the American legation does not discourage ;) ² and that, had he failed here, he

¹ These will be given in our next No. ED.

² Vide Letters from a Cosmopolite to a Clergyman, p. 21, 31, and 46.

would have taken more vigorous measures against them.—The heart of a statesman is a bottomless pit.—If we can suppose, with Vetus, that his Lordship contemplated, or proposed to his late colleagues, measures of greater conciliation with America, than they were willing to adopt; we may take him with us beyond a satisfactory arrangement of the question of impressments, (which he knew to be the *sine qua non*,) to the restoration of the ships taken under the Orders in Council; which is clearly to be inferred by what he said on the subject to Mr. Smith; (the American Chargé d’Affaires;’) nor is it improbable that this is one of the cases on which he differed from his colleagues. If this were the view of the Noble Marquis, the prosecution of it would evidently have saved him the trouble of trying his second alternative; and on the contrary, the troops in Canada and Nova Scotia might have formed the garrison of Santona, or have been employed in a flying squadron in the Bay of Biscay, to land occasionally under some one of the heroes of the Peninsula, to the great annoyance of Marmont, and the completion of that destruction of his army, which his noble brother had so well begun at Salamanca.

What can have led the noble Marquis to think that his conciliatory measures would not have produced this effect, it is difficult to imagine. And one must suppose that he has that idea when he charges the Government of the United States with a deadly hatred to England, and a deadly affection for France. “Il n’appartient qu’aux grands hommes d’avoir des grands défauts.” Perhaps his serene highness is thrown into a passion whenever the language of Mr. Pinkney’s letter

of the fourteenth of January, 1811, occurs to his mind. It is a document, however, that every teacher of statistics ought to put into the hands of his pupil.

It is grateful to see with all this, that the lofty mind of the noble Marquis is not inflexible. And his manners, we all know, are those of a perfect gentleman.—In the Times of the seventeenth ult. he is reported to have said, (on an India subject, too where he is so paramount) that “though he had been anxious to extend the measure in question without delay; he now believed that the sentiments which prevailed in other quarters, among persons with whom he had often differed, were a proper correction of his opinions.”—This is really very pretty: one step further, in the acknowledgment, that he had been chastised into conviction, (the *pas chrétien*,) would place the noble Marquis on the pinnacle of magnanimity.

There is another great man,—a very great man,—on whom the following sheets have not been sparing of animadversion. Yet the man is hardly to be found that has more strenuously defended Sir William Scott, than the author, according to the measure of his influence and ability.—If, therefore, he can defend him no longer, it is, because, against all the bias of prejudice, and all the pride of consistency, he finds the late decisions of the learned Judge, not less incompatible with his former doctrines, than with those of the original fountain of equity, that flows in the heart of man.—In this secession, the Author is countenanced by a very excellent discussion of the subject, in an unparalleled periodical publication, the *Edinburgh Review*, of February, 1812, No. xxxviii. Although, in that critique, the writer has put a construction on the words of the learned Judge which he has since denied, and surely had right to deny, for

no one can so well interpret his words as the speaker ; yet their ambiguity has been sufficient to create a deal of very grave discussion in the court itself, on a subject of no less magnitude than whether the court is, or is not, bound by an order of the privy council, which it should find contravening the law of nations. Why should the court hesitate to pronounce boldly on this question at once ?—it was incidentally, if not pointedly, before it in the case of the Fox ; and we all know, that if an irrelevant point is raised in argument ; to settle that point, is one of those valuable practices of the learned Judge, that give to his decisions the character of lectures on Maritime law, and create an useful addition to the catalogue of cases that may on a future day be referred to his authority.—Such pronounciation would not of necessity decide the question, whether the orders in council were of this description ; though it is worthy of particular remark, that if the same indulgence of interpreting their own meaning were allowed to the administration that issued the orders of May, 1806, and January, 1807 ; the pernicious effects of the subsequent orders would have found no excuse in those.—It is worthy of particular remark, and fairly to be inferred from the debates on the subject, that not a man of that administration, on whom the sin of the initiative has been artfully thrown, would have allowed of the condemnation of any one of those ships, or have admitted a *Retorsio versus communem amicum*, Qui injuriam non fecit, to sanction a measure which, to be justified by the law of retaliation, should be exercised only against the perpetrator of the injury.

It is not intended, however, to bring any party question into discussion. The political sectary will look in vain in these pages for any personal com-

merit or reprobation on that account ; or for the justification of any measure, not justifiable in itself. At the same time, it is far from the author's intention to reprehend with severity those errors in others, to which he has shown himself liable ; and which are indeed to be found inscribed on the pedigree of every son of Adam.

If an end could be put to the war with America, and the subjects of dispute between the two countries brought into discussion before an equitable tribunal ; it would matter but little to what administration the nation was indebted for so great a benefit. True it is, that on all American concerns, the nation has to deplore the loss of the philanthropic statesman, who considered every blow struck at that country as recoiling on this ; and it would be rather cynical, looking to this object, not to desire a participation in the national councils by the amiable *Elève* to whom he has left with his mantle a double portion of his good spirit. It never could have been the intention of either of these men to invade the rights of the United States. And, if the order of May, 1806, according to the latitude of its terms and the construction which the opposition, become Ministers, found it convenient to put upon it, may be literally pronounced illegal ; we know, on the other hand, that it was neither intended, nor suffered, by those who issued it, to work any practical injury or invasion of the rights of neutrals. It is by no means a solecism, in the history of diplomacy, for a state to issue an order, on the spur of a sudden occasion, which it is easily induced on reflection or remonstrance to abandon. An order not unlike this, but much more extensive, and less equivocal in the invasion of neutral rights, was issued in the first year of William and Mary, in which the Dutch concurred, but it was found not to

conform with the law of nations, and was accordingly withdrawn. The order of the sixth of November, 1793, issued in the Pitt administration, and supposed to be chiefly the work of Dundas, was remonstrated against, as soon as it was known, by the Merchants of London in the American trade, as likely to produce a war with the United States. It was revoked on the eighth of January, 1794; and the mischief done in the mean time was afterwards repaired by a commission mutually appointed between this country and the United States.

That country must be miserably poor in honor, that cannot afford to acknowledge a fault; and if we look for a man or a minister free from error, we must seek him in another world. But if our pride did not blind us, we might see ample room for atonement, and consequent reconciliation.

The declaration of war on the part of the United States, was injudicious and most unfortunate. Unjust, we can hardly call it, when we consider what we should do with any nation that should impress our seamen, or take our ships under arbitrary orders, which we, in common with all the rest of the world, and which a preceding administration of their own, whose seats were hardly cold, denounced as illegal also. But while the piracies of France remained unatoned, the honor of the United States was shielded by the same consideration, which, so much to the dishonor of both the great belligerents, had shielded it before. It was still impossible to strike a blow at one without aiding the other; and it ought not to have been done. The provocation, it must be allowed however, was beyond all bearing. The orders in Council were continued, without the most distant encouragement to hope for their being removed, long after the French edicts were withdrawn; and even

with a threat of retaliation against the pacific measures adopted by the United States to bring us to reason. The horrible and insupportable impressment of their seamen, in which the French never had a share, was continued by us alone.

Goaded to war, and obliged, if they embarked in it, to choose their enemy; there could be no doubt, on which, hostilities must fall in the first instance. But the remarkable abstinence from any connexion with France, and the continued injunctions of the President to avoid it, through all the scenes of prosperity and adversity which that power has encountered; the particularly good understanding that he has maintained with Russia, the enemy of that power; the immediate offer of an armistice to us, as soon as the sword was drawn, on terms that posterity will be astonished were not accepted; the policy of the government of the United States at this hour, of excepting from the pressure of the war those portions of our force that are employed against France, by allowing supplies to the Peninsula; all indicate that that government is seeking the redress of its grievances here, not only without the desire of aiding the enemy of England, but with the desire of annoying him. And the subjoined extract from the *National Intelligencer*, which is supposed by good judges to be from the pen of the President, will show to every man, who is willing to be informed, what may be expected to be opposed to the common enemy, in case of an honorable adjustment of the differences between this country and the United States.

As one of the points at issue, and the prominent point indeed, seems to be that which relates to the naturalised seamen;—(a bagatelle in respect to the numbers of this description of persons that can be supposed to

have passed the Ordeal of the American law;) a reference to the following extract from our own statute book, while it demonstrates the much greater facility with which we admit foreign seamen into all the privileges of a British subject, in which, having specially invited, we are specially bound to protect them; will also demonstrate that, with a sincere desire to accommodate, there can be no difficulty, on the score of national honor, in a reciprocal agreement to forbear the practice in future, without any retrospect to the past.

“ And for the better encouraging of foreign mariners and seamen, to come and serve on board ships belonging to the kingdom of Great Britain; be it further enacted by the authority aforesaid, That every such foreign mariner or seaman, who shall from, and after the said twenty-fifth day of April, have faithfully served on board any of her Majesty’s ships of war, or any privateer, or merchant, or trading ship or ships, vessel or vessels, which at the time of such service shall belong to any of her Majesty’s subjects of Great Britain, for the space of two years, shall, to all intents and purposes, be deemed and taken to be a natural-born subject of her Majesty’s Kingdom of Great Britain, and have, and enjoy, all the privileges, powers, rights, and capacities which such foreign mariner, or seaman could, should, or ought to have had and enjoyed, in case he had been a natural-born subject of her Majesty, and actually a native within the Kingdom of Great Britain.” (6. Anne. c. 37. sec. 20.) *

The same privilege is re-enacted 13. Geo. II. c. 3. with the exception required by the intermediary statute of 1. Geo. 1. c. 4. of all naturalised subjects from becoming members of parliament, or of the privy council.—It is twice mentioned by Blackstone with the emphatical

words that such foreign seaman is *ipso facto* naturalised ; and referred to in a treatise published in the present century by Mr. Abbott, on the law relative to merchant ships and seamen.

Let this be compared to the tedious process of five years' residence under record, and all the formalities of the American law, which a seaman must encounter like every other man ; and it will hardly be asserted, by an assertor of our own rectitude, that undue encouragement is held out by the American government, to entice our seamen into their service.

April 19, 1813.

ANTICIPATION

OF

MARGINAL NOTES, &c.

Paragraph 1.—“The earnest endeavours of the Prince Regent to preserve the relations of peace and amity with the United States of America having unfortunately failed, his Royal Highness, acting in the name and on the behalf of his Majesty, deems it proper publicly to declare the causes and origin of the war, in which the Government of the United States has compelled him to engage.”

Have any such been shown?—Your Government has adopted no measure at all calculated to avoid the long threatened War; but such as it was reluctantly compelled to adopt by the cries of the Nation; and this in two cases liable to objection; 1st, as not explicitly renouncing the illegal Blockades; and 2dly, in reserving the right of restoring the Orders in Council on a contingency depending not on America, but on France.

Par. 2.—“No desire of conquest or other ordinary motives of aggression, has been, or can be with any colour of reason, in this case, imputed to Great Britain; that her commercial interests were on the side of peace, (if war could have been avoided, without the sacrifice of her maritime rights, or without an injurious submission to France,) is a truth which the American Government will not deny.”

Take away this parenthesis, and the fact asserted here, that the commercial interests of Great Britain were on the side of Peace, is a

truth which the American Government will not deny.—Neither is it probable that any Government can be mad enough to contemplate conquests in America, three times as populous, and ten times as powerful, as she was when you made the attempt to keep her in a state of subjugation.

Par. 3.—“ His Royal Highness does not, however, mean to rest on the favorable presumption, to which he is entitled. He is prepared by an exposition of the circumstances which have led to the present war, to show that Great Britain has throughout acted towards the United States of America with a spirit of amity, forbearance, and conciliation; and to demonstrate the inadmissible nature of those pretensions which have at length unhappily involved the two countries in war.”

The spirit of amity, forbearance, and conciliation, here generally asserted, and the inadmissible nature of the American pretensions, will be adverted to as they present themselves in the sequel.

Par. 4.—“ It is well known to the world, that it has been the invariable object of the Ruler of France to destroy the power and independence of the British Empire, as the chief obstacle to the accomplishment of his ambitious designs.”

What has America to do with that? just so much and no more than with the equally well known object of the ruler of Great Britain to destroy the power and independence of the French Empire; i. e. nothing at all.

Par. 5.—“ He first contemplated the possibility of assembling such a naval force in the Channel as, combined with a numerous flotilla, should enable him to disembark in England an army sufficient, in his conception, to subjugate this country; and through the conquest of Great Britain he hoped to realize his project of universal empire.”

Par. 6.—“ By the adoption of an enlarged and provident system of internal defence, and by the valor of His Majesty's fleets and armies, this design was entirely frustrated; and the naval force of France, after the most signal defeats, was compelled to retire from the ocean.”

Par. 7.—“ An attempt was then made to effectuate the same purpose by other means: a system was brought forward, by which the Ruler of France hoped to annihilate the commerce of Great Britain, to shake her public credit, and to destroy her revenue; to render useless her maritime superiority, and so to avail himself of his continental ascendancy, as to constitute himself in a great measure the arbiter of the ocean, notwithstanding the destruction of his fleets.”

Answered in the 4th Paragraph.

Par. 8.—“ With this view, by the Decree of Berlin, followed by that of Milan, he declared the British territories to be in a state of blockade; and

that all commerce, or even correspondence, with Great Britain was prohibited. He decreed that every vessel and cargo, which had entered, or was found proceeding to a British port, or which, under any circumstances, had been visited by a British ship of war, should be lawful prize: he declared all British goods and produce, wherever found, and however acquired, whether coming from the Mother Country or from her colonies, subject to confiscation; he further declared to be denationalized, the flag of all neutral ships that should be found offending against these his Decrees; and he gave to this project of universal tyranny, the name of the Continental System.*

Here the invasion of Neutral Rights is begun at the wrong end; and two French Decrees are brought together, between which, two British Orders in Council intervened. The Decree of Berlin was preceded by, and predicated upon, the Order of Blockade of the 16th of May, 1806, and the Decree of Milan was subsequent to the Orders in Council of January and November, 1807, and was a direct consequence of the latter. Our Government indeed have not allowed the invasion of their rights by one Belligerent to justify that by the other; and have therefore, in the resistance they have made to them mutually, and their proposals to each for accommodation, fortunately for your Ministers, *sua si bona norint*, put the priority of aggression out of the question. The Blockade of May, 1806, was not accompanied by that adequate and stationary force, which every writer on the subject in the law of Nations, and none more than the very profound and learned Judge at the head of your Court of Admiralty, has pronounced necessary to constitute its legality.—It was therefore illegal.† —We are aware of the construction put upon this Act by the administration that issued it, and we are not aware of any actual injury having resulted from it to the United States under that administration. But, whatever may have been the intention of Mr. Fox in respect to the application of a sufficient force to the stations included in that notification, it is notorious that no such force ever was so applied, or maintained in the requisite strictness to confirm its legality. And it is, not less notorious that the succeeding administration, constituting the greatest part of the present Ministry, predicated on this precedent their right to extend, by proclamation only, their inhibition of neutral trade with the Enemy's ports, before which there was not ostensibly, or even avowedly, a single ship of war; and proceeded under such proclamation to the confiscation of every ship they could find proceeding to such destination.

The name that Bonaparte chose to give to his system, is of little importance; but since it is mentioned, it may be as well to observe that

* See End. Note A.

it has no reference to America.—The Continental System evidently referred to those states upon the Continent of Europe, which, by conquest or treaty, were brought to the adoption of his views.

Par. 9.—“For these attempts to ruin the commerce of Great Britain, by means subversive of the clearest rights of neutral nations, France endeavoured in vain to rest her justification upon the previous conduct of His Majesty's Government.”

Refer to paragraph 8.

Par. 10.—“Under circumstances of unparalleled provocation, his Majesty had abstained from any measure which the ordinary rules of the Law of Nations did not fully warrant. Never was the maritime superiority of a Belligerent over his enemy more complete and decided. Never was the opposite Belligerent so formidably dangerous in his power, and in his policy, to the liberties of all other nations. France had already trampled so openly and systematically on the most sacred rights of neutral powers, as might well have justified the placing her out of the pale of civilized nations. Yet in this extreme case, Great Britain had so used her naval ascendancy, that her enemy could find no just cause of complaint; and in order to give to these lawless decrees the appearance of retaliation, the Ruler of France was obliged to advance principles of maritime law unsanctioned by any other authority than his own arbitrary will.”

The Rights of Neutrals depend not on the comparative power of the Belligerent;—they have nothing to do with it. And in respect to the principles of maritime law advanced by the Ruler of France, to say that America had nothing to do with them is saying too little. They were not only not adopted by America, but absolutely and distinctly disavowed, as well in her Treaty with this country, as in a diplomatic correspondence of so recent a date, and so spirited a style that it is utterly inconceivable that any member of the administration can have forgotten it.¹

Par. 11.—“The pretexts for these decrees were, first, that Great Britain had exercised the rights of war against private persons, their ships, and goods; as if the only object of legitimate hostility on the ocean were the public property of a state, or as if the Edicts and the Courts of France itself had not at all times enforced this right with peculiar rigor; secondly, that the British orders of blockade, instead of being confined to fortified towns, had, as France asserted, been unlawfully extended to commercial towns and ports, and to the mouths of rivers; and thirdly, that they had been applied to places, and to coasts, which neither were, nor could be actually blockaded. The last of these charges is not founded on fact; whilst the others, even by

¹ See on this subject a small Pamphlet, entitled, “A letter from a Calm Observer to a Noble Lord, on the subject of the late declaration, relative to the Orders in Council.” (Gale and Curtis, 1812.)

the admission of the American Government, are utterly groundless in point of law."

Here it is admitted that the American Government disavow Bonaparte's principles of Maritime Law.—The knowledge of this fact is not derived from any document subsequent to the declaration of the 21st of April last. Why then was America insulted in that declaration by being called on to disavow them? "The British Orders of Blockade, had, as France asserted, been unlawfully extended to commercial Towns and Ports, and to the mouths of Rivers; and thirdly, they had been applied to places, and to coasts, which neither were, nor could be, actually blockaded. The last of these charges is not founded on fact." Does this assertion apply to the "*neither were*," as well as to the "*nor could be*?" What a miserable equivocation!—That the proclamation extended to places that were not blockaded is beyond all doubt, since many ships arrived at, and sailed from, the ports comprehended in the notice; but, that they could be blockaded, at least, one at a time, will not be disputed. The actual is the only legal blockade. For this the Neutral foregoes his Trade to the port, whose entry is manifestly dangerous; allowing the Belligerent to distress his Enemy into reasonable terms of peace. But if this distress, which is the essence of the Right, cannot be maintained; and still more *if instead of distressing you are supplying the Enemy yourself*, you cannot expect the Neutral to forego his trade.

Par. 12.—"Against these decrees, his Majesty protested and appealed; he called upon the United States to assert their own rights, and to vindicate their independence, thus menaced and attacked; and as France had declared, that she would confiscate every vessel which should touch in Great Britain, or be visited by British ships of war, his Majesty, having previously issued the Order of January, 1807, as an act of mitigated retaliation, was at length compelled, by the persevering violence of the enemy, and the continued acquiescence of neutral powers, to revisit, upon France, in a more effectual manner, the measure of her own injustice; by declaring in an Order in Council, bearing date the 11th of November, 1807, that no neutral vessel should proceed to France, or to any of the countries, from which, in obedience to the dictates of France, British Commerce was excluded, without first touching at a port in Great Britain, or her dependencies. At the same time, his Majesty intimated his readiness to repeal the Orders in Council, whenever France should rescind her decrees, and return to the accustomed principles of maritime warfare; and at a subsequent period, as a proof of his Majesty's sincere desire to accommodate, as far as possible, his defensive measures to the convenience of neutral powers, the operation of the Orders in Council was, by an order issued in April, 1809, limited to a blockade of France, and of the countries subjected to her immediate dominion."

His Majesty had an undoubted Right to protest as much as he pleased against the French Decrees, as the French had to protest against his Decrees; but he had no right, nor certainly any occasion, to call on the United States to assert their own rights;—they have never been invaded by either Belligerent, without meeting with prompt resistance, save in the Case of the English Blockade of May 1806, of which we shall have occasion to speak again under paragraph 17. —And here we see the reason why the course of the different Orders in Council and Decrees is deranged. “As France had declared that she would confiscate every Vessel that should touch in Great Britain, or be visited by British ships of war, his Majesty was compelled at length to declare on the 11th of November 1807, that no Neutral Vessel should proceed to France.”—Now mark, gentle reader, that this threat of confiscation, in consequence of what the French call a visit by British ships, this, “persevering violence of the enemy,” in which the neutral nations of Lilliput, Brobdignag, and Laputa acquiesced, (for these were the only neutral nations except the United States, whose acquiescence we mean to dispute) came forth for the first time in the Milan decree bearing date the 17th of December of that year.—No doubt it did operate in the production of the previous order of the 11th of November, which the French Tiger pretends to have caused it; but this was by a sort of anticipation, which frequently occurs in the disputes between great Belligerents,* which it is difficult for simple and peace-seeking neutrals to understand; and with which, if the Mathematicians in Laputa aforesaid choose to amuse themselves, the United States, at least, have no concern. But as to any acquiescence in it when it did appear, which was quite as soon as the United States knew any thing about it, we assert, and challenge contradiction to the assertion, that to this and all the encroachments of France, the most prompt and spirited resistance was made. Our correspondence with France on this subject is before the world.—The instructions of Mr. Madison, and the letters of General Armstrong, cannot be inspected without convincing every impartial inquirer of this fact.—Is not Bonaparte charged by General Armstrong, *totidem verbis*, with a breach of his own treaty and of the law of nations, and told, that, “to appeal to them therefore, would be lite-

* Cadore (14th February 1810) excused his Government to General Armstrong for the issue of the Decree of Berlin, dated the 21st November 1806, as well as that of Milan, dated the 17th of December 1807, as “the necessary consequence of the British Orders in Council, and above all, of those of November 1807.” Famous logicians! *par nobile fratrum belligerentium!*

rally appealing to the dead?" and does not the publication of such a letter to the world, show, that there *can be no* connivance or good understanding between the two Governments? Please to show us something as spirited as this, in the letters of any other Minister at the Court of the Tuilleries, or any thing so gallant in the correspondence of the American Minister, at the Court of St. James's.

Par. 13.—“Systems of violence, oppression, and tyranny, can never be suppressed, or even checked, if the power against which such injustice is exercised, be debarred from the right of full and adequate retaliation; or, if the measures of the retaliating power are to be considered as matters of just offence to neutral nations, whilst the measures of original aggression and violence are to be tolerated with indifference, submission, or complacency.”

Retaliate as much as you please upon your enemy.—Cut each other's throats, if you will; we can but regret the mutual depravity which creates so much distress to our fellow men of other nations. But we have had no concern in your wars: otherwise, we should not have been neutrals.—We have even no concern in them now that we are Belligerents.—We cannot fight you both at a time; but do us justice, and you will soon see that our arms will be turned against your enemy.—We can beat his frigates, as well as yours, as the war of 1798 can testify, though they cannot pretend to a disparity of size, and though the arm of our sailors is not loaded against them with the tenfold vengeance that your impressments have excited.

Look to your own construction of the Blockade of May 1806, we mean the construction of the present administration, a question which cannot be agitated but to your disadvantage, and which we are willing to forego, as we have told you, all discussion upon.

Par. 14.—“The Government of the United States did not fail to remonstrate against the Orders in Council of Great Britain. Although they knew that these Orders would be revoked, if the decrees of France, which had occasioned them, were repealed, they resolved at the same moment to resist the conduct of both Belligerents, instead of requiring France in the first instance to rescind her decrees.—Applying most unjustly the same measure of resentment to the aggressor, and to the party aggrieved, they adopted measures of commercial resistance against both—a system of resistance, which however varied in the successive Acts of Embargo, Non-Intercourse, or Non-Importation, was evidently unequal in its operations, and principally levelled against the superior commerce and maritime power of Great Britain.”

All that is here said will redound in all periods of future history to the honor and credit of the United States.—The exact equipoise that they have maintained, while France was accusing them of favoring England, and England of favoring France, under all the varying

conflicts to which the injustice of both subjected them, will be to posterity one of the most astonishing events of these astonishing times.—A higher eulogy could hardly be pronounced upon them than what is here brought against them. If Great Britain found the only possible measure of equal resistance by the exclusion of both France and England to bear hard upon her superior commerce, she should have been the first to have withdrawn her hostile edicts, and retreat from the crusade in which she had joined her forces to those of her enemy, to invade the rights of her Friend.

Par. 15.—“The same partiality towards France was observable in their negotiations, as in their measures of alleged resistance.”

Vide note on paragraph 12, and we will not dispute what is here asserted.

Par. 16.—“Application was made to both Belligerents for a revocation of their respective edicts; but the terms in which they were made, were widely different.”

Here is an assertion, not only without proof, but directly in the face of proof most palpable. Nothing more is requisite to satisfy any impartial inquirer of this, from the most careless to the most inquisitive, than a simple inspection of the terms proposed equally to each.—They are in fact a circular letter requiring of each Belligerent the simple removal of those *existing edicts*, which violated the Neutral rights of the United States, or such modification of them that they should no longer violate those rights; and promising to each the precise consequences of such revocation that were promised to the other.

Par. 17.—“Of France was required a revocation only of the Berlin and Milan Decrees, although many other edicts, grossly violating the neutral commerce of the United States, had been promulgated by that power. No security was demanded, that the Berlin and Milan Decrees, even if revoked, should not under some other form be re-established, and a direct engagement was offered, that upon such revocation, the American Government would take part in the war against Great Britain, if Great Britain did not immediately rescind her Orders, whereas no corresponding engagement was offered to Great Britain, of whom it was required, not only that the Orders in Council should be repealed, but that no others of a similar nature should be issued, and that the blockade of May, 1806, should be also abandoned. This blockade, established and enforced according to accustomed practice, had not been objected to by the United States at the time it was issued. Its provisions were, on the contrary, represented by the American Minister resident in London at the time, to have been so framed, as to afford, in his judgment, a proof of the friendly disposition of the British Cabinet towards the United States.”

What has England to do with what violates the Neutral Commerce of the United States, unless it be their own proper commerce with England? If any such violation exist, America is fully competent to adjust the matter herself. She never found fault with the immense tax that England has always gathered upon her chief staple, Tobacco, nor with her shutting out the manufactures of her Enemies or even of her Friends, from her ports. And it is not more impossible, than unreasonable, that America should force the French to wear English coats and waistcoats. But we cannot help remarking here, that in the resolution to maintain the most rigid impartiality in respect to the restoration of intercourse with the Belligerent who should first revoke what each called his *retaliatory* edicts upon the other, and in confining the proffer to this object, we did not even stipulate the restoration of our impressed seamen, whose fate no mortal man can behold without shuddering with horror; yet if France should upbraid us with this forbearance, we would answer her as on a former occasion, "That the United States have a right to elect their own policy with regard to England, as they have with regard to France; and that it is only while they continue to exercise this right, without suffering any degree of restraint from either power, that they can maintain the independent relation in which they stand to both." It may be added indeed, that we could not anticipate the new injuries of France, but we knew those that England had already inflicted; yet we did not mix them with this new question of mutual recrimination and pretended retaliation of each Belligerent on the other, and if "no security was asked, that the Berlin and Milan decrees, even if revoked, should not be re-established under some other form," neither was any such security demanded of England in the revocation of her obnoxious Orders in Council.—It is utterly impossible to discover any symptom of difference between the proposals made to the different Belligerents.

"And a *direct* engagement was offered that upon such revocation the American Government would take part in the war against Great Britain, if Great Britain did not rescind her Orders, whereas, no corresponding engagement was offered to Great Britain."—Now in the first place, we deny, and challenge the British Ministry to show, that any *direct* engagement was offered to either Belligerent to take part in the war against the other. We might show indeed that no such engagement could be offered without a previous act of Congress; for the constitution does not leave it in the power of the executive Government of the United States. In the next place we aver that every proposition leading to such a consequence, was

made equally to either, with the single exception in favor of Great Britain, "That on her rescinding her Orders in favor of the United States, their Trade should be opened with her, and remain shut to her enemy in case of his failure to rescind his Decrees also;" whereas, to France, the offer was made subject to the contingency of the previous consent of England.

How far the propositions menacing war can be said to have favored France to the prejudice of Great Britain will be seen by the following extracts from Mr. Madison's instructions, viz.

To Mr. Pinkney, 30th April, 1808.

The relation in which the revocation of its unjust decrees by either, (Belligerent) will place the United States to the other, is obvious, and ought to be a motive to the measure proportioned to the desire which has been manifested by each, to produce collision between the United States and its adversary, and which must be equally felt by each, to avoid one with itself.

Should France revoke, "it will be impossible to view the perseverance of Great Britain in her retaliating Orders, in any other light than that of war, without even the pretext now assumed by her."

To General Armstrong, 2d May, 1808.

The relation in which a recall of its retaliating decrees, by either power, will place the United States to the other, is obvious, and ought to be a motive to the measure, proportioned to the desire which has been manifested by each, to produce collisions between the United States and its adversary, and which must be equally felt by each, to avoid one with itself.

Should Great Britain revoke, France could not persist in the illegal part of her decrees, if she does not mean to force a contest with the United States.

To Gen. Armstrong, 2d July, 1808.

"If France does not wish to throw the United States into the WAR against her, for which it is impossible to find a rational or plausible inducement, she ought not to hesitate a moment in revoking, at least, so much of her decrees as violate the rights of the sea, and furnish to her adversary the pretext for his retaliating measures."

Your Ministers must have short memories, if they have forgotten the documents from which these extracts are made, which were printed by order of the British Parliament; and little feeling, if they forget the use made of them by a statesman of the first celebrity in the opposition, when the idea now reiterated, was attempted to be imposed upon the public.—Strictly speaking, indeed, the menace to *take part in the war* against her enemy, was made to Great Britain only. *Such is the fair construction of the words, the War against*

France; whereas, in the contrary event, *no conjunction with France is intimated*, neither has any such taken place; but on the contrary, to the last document that was before the British Government, when this declaration was issued, to wit, the President's Message of the fourth of November, *such conjunction was still deprecated*.—God forbid that we should take sides with either of you; but if the events of war should require a combination; you have only to do us justice, and there can be no doubt on which side we should prefer it.

In this important Paragraph, too, we find the un candid advantage that has been so often taken of the liberal construction, that the pleasing anticipation of an adjustment of all the differences between the two nations, had induced Mr. Monroe to affix to the notification Blockade of May 1806.—When it is asserted that “he represented it to have been so framed as to afford in his judgment a proof of the friendly disposition of the British Cabinet towards the United States;” it should have been added, for it appeared in the same letter, that he made up that judgment hastily: “I have been too short a time in possession of this paper to trace it in all its consequences.” And the public should also have been informed of the still higher evidence, that he had misconceived its purport, in the non-admission of his inference by Mr. Fox, printed in the same correspondence. “He did not seem willing to give his sanction to the inference I had drawn:” but it is less the Blockade that Mr. Fox promulgated, and less still the acts of the Government under it, during the discussion of a treaty which was daily expected to put an end to all the disputes between the two countries, than the distorted construction given to it by his successors in office, and the pretensions that they have derived from it, that have disgusted and dissatisfied us:—a construction which was denied by every member of the administration that issued the decree; and accordingly we find Mr. Monroe saying to Mr. Foster (Oct. 1st, 1811,) “that *as now expounded* it is inconsistent with the sense of his Government when the order was issued.”

Par. 18.—“Great Britain was thus called upon to abandon one of her most important maritime rights, by acknowledging the Order of Blockade in question to be one of the edicts which violated the commerce of the United States, although it had never been so considered in the previous negotiations; and although the President of the United States had recently consented to abrogate the Non-Intercourse Act on the sole condition of the Orders in Council being revoked; thereby distinctly admitting these orders to be the only edicts which fell within the contemplation of the law under which he acted.”

The Order of Blockade in question was supposed at this time to be merged in the Orders in Council, and it is in the face of all fair inference, therefore, that it is here asserted that it had never before been considered as violating the commerce of the United States. It was not suffered in the Fox administration to operate any actual injury to the United States. And it is notoriously known that a modification of this, as well as the Order of the 7th of January, 1807, so as to satisfy the demands of the United States, was in a course of amicable and satisfactory discussion at the time that that administration went out of office, which alone put an end to it.

Par. 19.—“ A proposition so hostile to Great Britain could not but be proportionally encouraging to the pretensions of the enemy; as by thus alleging that the blockade of May, 1806, was illegal, the American Government virtually justified, so far as depended on them, the French Decrees.”

We care not a pin whether your enemy were pleased or displeased with our measures, as long as our only motive was our own redress.— God knows that we have no special desire to please either of you, until we see better occasion in your conduct towards us.

Par. 20 and 21.—“ After this proposition had been made, the French Minister for Foreign Affairs, if not in concert with that Government, at least in conformity with its views, in a dispatch, dated the 5th of August, 1810, and addressed to the American Minister resident at Paris, stated that the Berlin and Milan Decrees were revoked, and that their operation would cease from the 1st day of November following, provided his Majesty would revoke his Orders in Council, and renounce the new principles of blockade; or that the United States would cause their rights to be respected; meaning thereby that they would resist the retaliatory measures of Great Britain.

“Although the repeal of the French Decrees, thus announced, was evidently contingent, either on concessions to be made by Great Britain, concessions to which it was obvious Great Britain could not submit, or on measures to be adopted by the United States of America, the American President at once considered the repeal as absolute. Under that pretence, the Non-Importation Act was strictly enforced against Great Britain, whilst the ships of war and merchant ships of the enemy were received into the harbours of America.”

This document of the 5th of August revoked the Berlin and Milan Decrees from the 1st of the following November. Its prospective operation gave to England the opportunity of adopting similar measures, or, to use her own words, of proceeding *pari passu* with her enemy, so as to have the intercourse restored to her at the same time as to France.—The contingency of its looking forward for three months was so far advantageous to England, as it gave her all that time to consider of the proposition for adopting the like measure. And the Pre-

sident, by a liberal construction of the law, extended the continuance of the intercourse for three months from and after the period when the French engagement took effect; and admitted not only the goods that arrived, but all those that were shipped in England within three months after such period.

The conditions were precisely those, that made it obligatory on the President to restore the intercourse on the terms on which it was restored: that similar conditions on your part would have produced similar effects against your enemy, we are not left to conjecture. The adjustment actually made with Mr. Erskine (of which we shall have occasion to take further notice) has placed that question beyond all doubt.

Par. 22, 23, 24, 25.—“The American Government, assuming the repeal of the French Decrees to be absolute and effectual, most unjustly required Great Britain, in conformity to her declarations, to revoke her Orders in Council. The British Government denied that the repeal, which was announced in the letter of the French Minister for Foreign Affairs, was such as ought to satisfy Great Britain; and in order to ascertain the true character of the measure adopted by France, the Government of the United States was called upon to produce the instrument by which the alleged repeal of the French Decrees had been effected. If these decrees were really revoked, such an instrument must exist, and no satisfactory reason could be given for withholding it. At length, on May 21, 1812, and not before, the American Minister in London did produce a copy, or at least what purported to be a copy, of such an instrument. It professed to bear date the 28th of April, 1811, long subsequent to the dispatch of the French Minister of Foreign Affairs of the 5th of August, 1810, or even the day named therein, viz. the 1st of November following, when the operation of the French Decrees was to cease. This instrument expressly declared that these French Decrees were repealed in consequence of the American Legislature having, by their Act of the 1st of March, 1811, provided, that British ships and merchandise should be excluded from the ports and harbours of the United States. By this instrument, the only document produced by America as a repeal of the French Decrees, it appears, beyond a possibility of doubt or cavil, that the alleged repeal of the French Decrees was conditional, as Great Britain had asserted, and not absolute or final, as had been maintained by America; that they were not repealed at the time they were stated to be repealed by the American Government; that they were not repealed in conformity with a proposition, simultaneously made to both Belligerents, but that in consequence of a previous act on the part of the American Government, they were repealed in favor of one Belligerent to the prejudice of the other; that the American Government, having adopted measures restrictive upon the commerce of both Belligerents, in consequence of edicts issued by both, rescinded these measures, as they affected that power which was the aggressor, whilst they put them in full operation against the party aggrieved, although the edicts of both powers continued in force; and, lastly, that they excluded the ships of war belonging to one Belligerent, whilst

they admitted into their ports and harbours the ships of war belonging to the other, in violation of one of the plainest and most essential duties of a Neutral Nation."

• The United States did produce the instrument which satisfied them;—the letter of the Minister of Foreign Affairs to their own accredited Minister;—the usual instrument in such cases. And it was on this document, and the subsequent evidence of its operation as respected the United States, that they required a similar abrogation, and no other on your part. The miserable juggle that you thought fit to adopt, when the cries of your manufacturers, and the arguments that you could no longer resist, obliged you to retreat, would have been spurned at by a more dignified Administration; and the only excuse for our Minister's share in it is, that it was suited to the capacities of those he had to deal with.—Our President gives no credit to it, as you see in his comment upon it.—In all your other measures you have fallen into the snares of your enemy, either by imitating or opposing him, as his policy required; and in this, as it was impossible to devise a more wretched State trick, you have adopted his own.

It tells but little, however, in favor of the integrity of your Government, that this instrument, which must be either genuine or not genuine, should be held good by you as a pretext for yielding to the cries of your manufacturers in revoking your Orders in Council, and not good to prevent the confiscation of our property. On this subject, and the preceding condition of this juggling instrument, we shall have something further to say in what follows; but we must repeat here, that it was not, as you assert, the only document produced by America, as a repeal of the French Decrees. The letter of the Duc de Cadore, of the 5th of August, 1810, asserting that the French edicts were repealed, was also produced.—This is the ordinary mode of revocation; it is your own mode; and the plan of a prospective operation had also been anticipated in your instructions to Mr. Erskine. Neither was there, properly speaking, any contingency to prevent their operation.—The opening left for England to come into the same measure, was provided for in the law of the United States.—The French no doubt agreed to it with reluctance; but the alternative was a *precedent* condition of the agreement, to wit, that the Non-importation law should be put in force against her if she did not avail herself of it.—*No new condition was required*; and it is arrant sophistry to pretend that the French revocation was the consequence of any new measure adopted by the American Government; although it is pompously asserted to have been so, "beyond all doubt or cavil."

And though the contrary is here so positively asserted, nothing is more clear than that the revocation was made in strict "conformity with a proposition simultaneously made to both Belligerents."—What was that proposition?—each Belligerent accused the other of being the aggressor, or invader of the law of nations; each pretended to retaliate against the other; and each promised to recede from the invasion as soon as the other should do it.* America proposed to each, that if she would recede from her invasion, as far as respected the United States, and the other should not follow her within three months, she would restore the intercourse to the one so receding, and shut out the other.—France says; I agree to your conditions: I revoke my decrees from the 1st of November upon the precise terms that you propose.—She propounds no new conditions, but repeats those propounded by America equally to both Belligerents; and even refers to the Act of Congress which provides for them without even an injunction, but with merely a *bien entendu*, it being well understood, that one of the alternatives shall follow.—As though she had said, "If England follows me *pari passu*, as she has promised, well; if not, you are engaged to oppose her unjust pretensions—how?—not *vi et armis*,—not *pugnis et calcibus*,—not *unguibus et rostro*; (which is uncommonly modest on her part, considering that we had offered her war against you, without offering you war against her;) but by putting in force that very Act which you were equally engaged to put in force against me in the contrary case."

The word *conformity* is unhappily chosen here. It reminds one of the very words of the French revocation; and of those words which you have on many occasions, and among others in the paper under consideration, most unrighteously withheld.—"Or that the United States, *in conformity with the Act which you have just communicated*, shall cause their rights to be respected by the English."—Why were the words, here italicised, left out in this paper? (Paragraph 20.) why have they been suppressed on all occasions? and why, more especially, have they been omitted in the quotation of the surrounding words by Sir William Scott in his judgment on the Snipe? they would have furnished a solution of his parenthesis, and changed all the doubts, that follow the construction of the words as he has given them, into the precision that he affects to be seeking.—"It being well understood (*it is not said by whom or on what ground*) that the English shall revoke their Orders in Council, and renounce their new principles of Blockade, or that the United States will cause their rights to be respected by the English." After the quotation, he continues—

"how is this clause to be construed?" (Edwards, p. 10.)—why, truly, it is of little consequence how *this clause* is to be construed; but mark the real words, "Or that the United States, *in conformity with the Act which you have just communicated*, will cause their rights to be respected by the English."—There is no difficulty in construing *these* words, "it being well understood" *by both parties and by all the world*, that one of the alternatives is to follow, *because the Act herein specially referred to has so provided.*¹

The Act of the 2d of March, 1811, too, (in other respects a mere recital of the previous Act, and of the fulfilment of the conditions of it in respect to France,) is only new as it puts an end to all cavil, as to the question of closing the doors of reconciliation with England after the three months had expired; and authorises the President still to admit her to a perfect freedom of intercourse on a similar abrogation of her hostile edicts, to that which had been exacted from France; to wit, that they should cease to violate the Neutral Rights of the United States; (we meddled not with any other question) and it is notorious (for the correspondence is before the world) that the most liberal use was made by the President of this authority to the last hour;—that instead of the expiration of three months, at which War might have been justly declared, three times six months were suffered to elapse before that measure was even proposed;—that every hazard was taken in the hope to avoid it; and that even the Sceptre of England had changed hands, not only without the hoped-for change of men or measures; but with an increased determination to insult us, as combining with France in doctrines which did not apply to us, and which we had distinctly disavowed;—with a renewed resolution to maintain the invasion of our Rights as an independent Nation; and reiterated assurances from your Minister that there was not the shadow of chance for a change.

Most heartily should we rejoice to see an explanation from the learned Judge, that would acquit him of his share of the censure attached to the concealment of these words. It would not be the first time, indeed, that we have found him right where we had supposed him wrong. We would thank him at the same time to inform us who the other Neutrals are, for whose rights we ought to have contended; and whether he has yet discovered that the French communication to the Conservative Senate related to Europe only, and the Continent of Europe, and the Continental System, and the Continental Ports, which are mentioned thrice three times in the instrument,

¹ See end—Note B.

without a word of America, or a word that can be applied to her.

But from the continual omission of the words here restored, to say nothing of the anachronisms, the distortions, the misconstruction and misapplication of other documents, some latent object must be presumed. And if it were even allowed that such were not the intention, it is not the less clear that the want of these words prevents the reader from that natural recurrence to the act itself, which would demonstrate the impartiality of the American government, which is here denied, as well as the fallacy of the reasoning drawn from the recital in the mutilated state in which it is presented. But when we find the same plan of suppressing the same words, in repeated instances of the diplomatic correspondence, state papers, and solemn judgments, we are constrained to pronounce upon it, as the spurious progeny of that incestuous intercourse between the executive and the judiciary, which it has been the pride and the boast of the present reign to divorce; and which cannot surely be less objectionable for being carried on behind the curtain.

It is paying but little compliment to the discernment of the English Nation, to suppose that deceit so palpable can have currency with it; and though it may be hoped that such deception will not last: yet the truth is, that the confiding Englishman is often deceived in this way; his integrity is easily imposed upon; his pursuits of a laudable industry prevent him from a critical investigation of the subject; but when he shall be roused to a personal inspection of the case, it is to be hoped that he will see as well the injustice as the impolicy of the imposition, by which he has been prevailed on to believe that we have an unnatural partiality to France, the only imputation under which he can be prevailed upon to consider us his enemy; and therefore most artfully insinuated, in equal contradiction of the evidence of our most essential interests, as of every document that has ever appeared, or ever can appear upon the subject; and *the manufacturers at least*, in reverting to their testimony on the relief that Mr. Erskine's treaty gave them, will hardly forget that we did, actually *maintain against France*, on that occasion, the exclusion from intercourse which we opened to you.

Par. 26. "Although the instrument thus produced was by no means that general and unqualified revocation of the Berlin and Milan Decrees which Great Britain had continually demanded, and had a full right to claim; and although this instrument, under all the circumstances of its appearance at that moment, for the first time, was open to the strongest suspicions of its authenticity; yet as the Minister of the United States produced it, as purporting to be a copy of the instrument of revocation, the Government of

Great Britain, desirous of reverting, if possible, to the ancient and accustomed principles of maritime war, determined upon revoking conditionally the Orders in Council. Accordingly in the month of June last, his Royal Highness the Prince Regent was pleased to declare in Council, in the name and on the behalf of his Majesty, that the Orders in Council should be revoked, as far as respected the ships and property of the United States, from the 1st of August following. This revocation was to continue in force, provided the Government of the United States should, within a time to be limited, repeal their Restrictive Laws against British commerce. His Majesty's Minister in America was expressly ordered to declare to the Government of the United States, "that this measure had been adopted by the Prince Regent, in the earnest wish and hope, either that the Government of France, by further relaxations of its system, might render perseverance on the part of Great Britain in retaliatory measures unnecessary, or if this hope should prove delusive, that his Majesty's Government might be enabled, in the absence of all irritating and restrictive regulations on either side, to enter with the Government of the United States into amicable explanations, for the purpose of ascertaining whether, if the necessity of retaliatory measures should unfortunately continue to operate, the particular measures to be acted upon by Great Britain could be rendered more acceptable to the American Government, than those hitherto pursued."

It will be seen by what is said above, that the instrument here referred to, even if genuine and duly promulgated, which none but a fool will suppose, and which even Lord Castlereagh discovered and pronounced to be the veriest juggle that ever was produced, though he afterwards preferred treating by it to acknowledging the true fact, that he was beaten from the ground that he had almost sworn to maintain;—it will be seen, we say, that the instrument here referred to, could in no shape be considered any thing more than a corroboration of the French Decrees having been repealed from the 1st of November preceding, to which date, as the period of the revocation, it literally refers. It could, if genuine, only be considered as certifying that the preceding condition of the revocation had been carried into effect by the United States. It added not a tittle to the matter of fact, neither does it even pretend to be the act of revocation; but merely a certificate of facts predicated upon ~~upon~~ Sir William Scott is content with the revocation of the 5th of August 1810, to a certain point—"I am authorized to declare that the Berlin and Milan Decrees *are revoked*,"—(not 'will be revoked,')—"and will cease to have their effect from the 1st of November." (Edwards, p. 9.) And it is only by the following words, in the mutilated state in which he has given them, confounding, as we have shown, the true meaning, that he finds any thing to remove or destroy the satisfaction that he would otherwise have derived from the

words here quoted. We have sought, but in vain, for some erroneous translation of Cadore's letter to Armstrong, to apologize for this mutilation, as well in the letters of the British Secretary of State to Mr. Pinkney, as in the judgments on the Fox, and on the Snipe, and in the paper before us; and we may truly say, that we should have been glad to find it, but we have never seen any such, and in the Appendix referred to in the margin of this passage in the report, the words are stated at length; and they are substantially repeated in another document in this Appendix, equally before the court, "conformably to the act communicated."

But we have in this paragraph a distinct avowal that the condition required of us to insure our emancipation from the effects of your orders, was, that we should obtain of France a general and unqualified revocation of the Berlin and Milan Decrees, as well in respect to other nations as to ourselves. And this is the termination of all the zig-zaggery and equivocation that were used in approaching our Government on the subject.—It was rather too much to demand of us at any rate, since we never belonged to the neutral family that armed to defend their mutual rights against your incroachments; we never interfered with your invasions of those rights, either in the attack on the Spanish frigates, or the bombardment of Copenhagen; though, by the way, had we sought a cause of quarrel, we might have found it as creditors of Spain in this diminution of her means of payment;—we could but deplore these indelible stains on the land of our Ancestors:—but after your instructions to Mr. Erskine to confine the revocation of your decrees to its operations *as far as respected America*; a modest Minister might well be backward in propounding such an absurdity as that of the United States of America legislating for the states of Europe.

It is matter of regret that this inconsistency escaped the researches of the profound civilian; (who, playing Grumio, in his judgment on the Snipe, has given us a lecture on family duty;) as he must have concluded that "the rule could have no locality;" and that what the United States had a right to agree to with Mr. Canning, they had an equal right to agree to with the Duc de Cadore.

Par. 27.—"In order to provide for the contingency of a Declaration of War on the part of the United States, previous to the arrival in America, of the said Order of Revocation, instructions were sent to his Majesty's Minister Plenipotentiary accredited to the United States (the execution of which instructions, in consequence of the discontinuance of Mr. Foster's functions, were at a subsequent period intrusted to Admiral Sir John Borlase Warren,) directing him to propose a cessation of hostilities, should they have com-

menaced; and farther to offer a simultaneous repeal of the Orders in Council on the one side, and of the Restrictive Laws on British ships and commerce on the other."

Not disputed.

Par. 28.—"They were also respectively empowered to acquaint the American Government, in reply to any inquiries with respect to the blockade of May, 1806, whilst the British Government must continue to maintain its legality, 'that in point of fact this particular blockade had been discontinued for a length of time, having been merged in the general retaliatory blockade of the enemy's ports under the Orders in Council, and that his Majesty's Government had no intention of recurring to this or to any other of the blockades of the enemy's ports, founded upon the ordinary and accustomed principles of maritime law, which were in force previous to the Orders in Council, without a new notice to neutral powers in the usual form.'"

Here is a distinct avowal that the blockade of May, 1806, was merged in the subsequent Orders in Council. We beg a recurrence therefore to what has been said under Paragraph 18. The construction given to the subsequent orders by our Government is here *distinctly confirmed*, so that it not only appears that we had always imagined that we were demanding the revocation of this deed in demanding the revocation of its successors, but that we *imagined rightly*. How then can it be asserted (Paragraph 18.) that this order was never considered by us as one of the edicts which violated the commerce of the United States. The truth is, and it will so clearly appear by a recurrence to the correspondence, that the view of the case *now formally asserted* was that under which the United States treated it.—It was only relinquished by Mr. Pinkney, when it was found convenient by your Government to adopt another construction.—It was only on finding that Marquis Wellesley had "not adopted," but "had resisted" the idea of incorporation here *re-asserted*, that he treated of it on separate ground. (Pinkney to Wellesley, 21st Sept. 1810.)

The offer made by Mr. Foster, in this case, was not merely that a new notice would be given to neutral powers, which is here attempted by a side wind to be let in as sufficient; but also that the blockade, if renewed, should be accompanied by a sufficient force to make it legal.

Par. 29.—"The American Government, before they received intimation of the course adopted by the British Government, had, in fact, proceeded to the extreme measure of declaring war, and issuing "Letters of Marque," notwithstanding they were previously in possession of the report of the French Minister for Foreign Affairs, of the 12th of March, 1812, promulgating anew the Berlin and Milan Decrees, as fundamental laws of the French Empire, under the false and extravagant pretext, that the monstrous princi-

ples therein contained were to be found in the Treaty of Utrecht, and were therefore binding upon all States. From the penalties of this code, no nation was to be exempt, which did not accept it, not only as the rule of its own conduct, but as a law, the observance of which it was also required to enforce upon Great Britain."

It is notorious on the face of the French document here referred to, that it did not contemplate America at all.—Not only is there no mention made of America in it; but Europe, the continental system, and the ports of the continent, are, as we before observed, the continual burden of the song.—France and the countries in alliance with, or in subjugation to her, (as the paper before us expresses it, (and to which, whether incorporated or conquered, we could have no access without the consent of the ruling powers,) were alone parties to this instrument, which announces the continuance of the Berlin and Milan Decrees against those powers only who allow their flags to be denationalized. It is not true then that no nation was to be exempt from the penalties of this code; for from this character of Denationalization the flag of the United States was already exempted by the operation of the law against you, which had been offered to you against your enemy. And it was still in your power, by revoking your hostile edicts, as they affected us, and us only if you please, to liberate your commerce, and your maine, from every restraint that was imposed upon it.—And had it been otherwise;—had the French document had any reference to us, still it was only the declaration of France;—our consent was necessary to make us party to it; and to this we were not only not invited, but it was before your eyes in documents and correspondence to which you were party with us, that we distinctly disavowed the French doctrines promulgated in it, and subscribed to the English in every point of the law of nations, which it embraces.¹—Your effort, in your declaration of the 21st of April, to lead the world, and none more than your own people, into the erroneous belief of French influence on our councils, by blending us with France, as the supporters of those doctrines, with this evidence before your eyes, has already been treated by our President as an insult, and chastised as it deserves.²

Par. 30.—"In a Manifesto, accompanying their declaration of hostilities, in addition to the former complaints against the Orders in Council, a long

¹ See Letter from a Calm Observer to a Noble Lord: (Gale and Curtis, 1812.)

² President's Message, 1st June, 1812, par. 12, as printed in the Times, "And as an additional insult, &c."

list of grievances was brought forward; some trivial to themselves, others which had been mutually adjusted, but none of them such as were ever before alleged by the American Government to be grounds for war."

✎ In this Paragraph, there is the highest evidence of the anxiety of the United States to maintain to the last extremity the relations of Peace; of their forbearance under multiplied injuries;—of their efforts to avert the storm which must be prejudicial to the mutual interests of two countries, whose interest must ever be mutual in the eyes of every enlightened statesman. —We know not whether we can take credit for what is here said, that none of our grievances were ever before alleged by our government to be grounds for War. —Certainly, we have given some broad hints that they were so; though to use the words of Mr. Madison, "it is no less true that we are warmly disposed to cherish all the friendly relations subsisting with Great Britain." * If in this temper, and with this view, we have forbore to allege those grievances as grounds for war, can any one look at them for a moment without seeing that they are such, and that such forbearance is the best evidence of patience and long suffering on our part? Can any one look at them without seeing that while the cup of bitterness was swelling to the brim, we were draining the cup of conciliation to the dregs. —The catalogue is too copious, and would indeed be too humiliating, to be recapitulated without some feelings of indignation, that our Government had borne them so long, were it not for the hostile feeling, excited by the misconduct of your meddling, at your expense as well as our own, the rapacity of your cruisers. —We will select but one of them: look at the American captive impressed on board a British man of war; chained to the gun of his oppressor to deal out death to a brother of mankind, perhaps his own brother, and in every case no enemy of his:—see him brought to the gangway for disobedience to an officer who has no right to command him, and even ~~for an~~ effort to advise the officers of his own Government of his situation;—see him wounded in such a cause, and dying by the side of a brave English messmate; and hear their mutual groans;—the one soothed by the reflection that can sweeten death—"I die for my country;"—the other, turning his eyes to the forger of his chains—"I am murdered and unrevenged."—And is it to be imputed to us as a fault that we are at length at war for such, among other causes; because, in the hope of redress, we have worn out years in seeking the abolition of this

* See this quotation more at large in *Letters from a Cosmopolite to a Clergyman*, page 55, or the *Monthly Review* for August last.

practice by just and prudent arrangements between the two governments.—You would make war with all the world for treating a single sailor of yours, as you have treated many thousands of ours. — Nay, you would not spare a precious subject of your own that should commit the comparatively venial crime of putting one of them on shore on a desert Island, where at worst he could only starve;¹ and this multiplied and continual aggression on your part is not to be considered a ground for War, because we have borne it so long without alleging it as such.

You ought to know, for it is no secret in your Navy, that many of your officers make no scruple to impress an American seaman, wherever they can find him; and even boast of it.—Perhaps too, if you scrutinize, you will find that your own orders to restore such have not always been obeyed.—We do not acquit you of any share in this iniquity;—the shoals of our seamen sent ashore in the Fox administration, and only then, furnish pretty strong presumptive evidence of connivance in their successors as well as in those that preceded them; but we believe you are sometimes deceived, and clear it is, that the best intentions of an administration must fail, while officers, not immediately under their eye, and wanting men, are licensed judges in their own cause.—We would do every thing in the world,—would even help to procure for you every man to whom you are entitled, according to your own principles and acknowledged practice; but as long as you will not suffer the officer of any nation under the sun to visit your ships, and take out whomsoever he may please to call subjects of his own; you will look in vain for any acquiescence on our part in a measure fraught with such distressing injury to our citizens.

31st Par.—“As if to throw additional obstacles in the way of peace, the American Congress at the same time passed a law, prohibiting all intercourse with Great Britain, of such a tenor, as deprived the Executive Government, according to the President's own construction of that Act, of all power of restoring the relations of friendly intercourse between the two states, so far, at least, as concerned their commercial intercourse, until Congress should re-assemble.”

The law here referred to put an end to those powers for restoring the intercourse which the President had in vain exerted for years, and which were incompatible with a state of war. No encouragement could be entertained in America, at that time, to hope for a revocation of the Orders in Council. It was five days after the declaration of war in America that those orders were revoked in

¹ See the case of Captain Lake.

England, and not a symptom of relaxation, but the strongest pledges to the contrary were exhibited till within a week of that revocation in England, and till the last hour of the declaration of War, and even after that declaration, by your Minister here.—The very document, from which you draw this construction of the President, recommends the adoption of an equitable mode of preventing any inconvenience to individuals from your unexpected retreat.

32d Par.—“The President of the United States has, it is true, since proposed to Great Britain an Armistice; not, however, on the admission, that the cause of war hitherto relied on was removed; but on condition, that Great Britain, as a preliminary step, should do away a cause of war, now brought forward as such for the first time: namely, that she should abandon the exercise of her undoubted right of search, to take from American merchant vessels British seamen, the, natural-born subjects of his Majesty; and this concession was required upon a mere assurance that laws would be enacted by the Legislature of the United States, to prevent such seamen from entering into their service. But independent of the objection to an exclusive reliance on a foreign state, for the conservation of so vital an interest, no explanation was, or could be, afforded by the agent who was charged with this overture, either as to the main principles upon which such laws were to be founded, or as to the provisions which it was proposed they should contain.”

In reply to paragraph 30, we have shown some of the precious effects of the practice which it is here attempted to defend. It remains only to add the propositions that were made by us many years ago, when Mr. Monroe was our Minister in England, and which have never yet been withdrawn.—We then offered to enter into engagements to allow of no protection to British seamen; but on the contrary, to deliver them up, whenever they sought refuge among us.—To aid in searching for, seizing, and restoring them; and to enact laws for this purpose; to keep them in our prisons, when thereunto required, and to prohibit our citizens, under adequate penalties, from carrying them off or employing them. All this was proffered, by our Government for an exemption from that seizure upon the high seas of all persons not liable thereto by the laws of Nations, which could not, in the case supposed, attach on any British sailor. For our naturalized citizens, comprising few, if any, of this class of men, and none that have not become so by three years' longer residence among us than is required for the same privilege with you, we ask only the protection which you extend to your own.

Who the agent charged with the reiteration of the overture was, of how instructed, we pretend not to know; but we cannot doubt

that he was authorized to pledge all the power of the executive Government to procure the enactment of adequate penalties to prevent a breach of the contract; and moreover we are convinced that, under an amicable arrangement to this effect, the American Merchant and seaman, seeing in it his own security and that of his brethren, would exert a vigilance to see it carried into execution, that would leave no escape for those deserters of their country's call, that might possibly escape the hands of the officers charged with it.

We have not a doubt that if the subjects, to which your own laws and practice intitle you, were all you are in quest of, you would recover more of them by this process than by any other that could be adopted.

33d Par.—“This proposition having been objected to, a second proposal was made, again offering an armistice, provided the British Government would secretly stipulate to renounce the exercise of this right in a treaty of peace. An immediate and formal abandonment of its exercise, as preliminary to a cessation of hostilities, was not demanded; but his Royal Highness the Prince Regent was required, in the name and on the behalf of His Majesty, secretly to abandon what the former overture had proposed to him publicly to concede.”

34th Par.—“This most offensive proposition was also rejected, being accompanied, as the former had been, by other demands of the most exceptionable nature, and especially of indemnity for all American vessels detained and condemned under the Orders in Council, or under what were termed illegal blockades—a compliance with which demands, exclusive of all other objections, would have amounted to an absolute surrender of the rights on which those Orders and blockades were founded.”

We cannot comment on these propositions, without having them fairly before us.—If an armistice were proposed during the temperate discussion of rights which we have never for a moment abandoned; and rejected, because we would not truly surrender a property, in innocent merchandize, *which we have never ceased to demand*;—which no other nation under heaven conceives you have any right to; and to the restoration of which we are clearly intitled, by your own construction of the Law of Nations, very recently promulgated; there can be no difficulty in appealing to the world, and to posterity, as to which of us is chargeable with the calamities of war.—It is a subject of easy demonstration, and has been clearly demonstrated, that the Orders under which this property has been seized, will not bear the test of the laws of Blockade.—Nay, it has been demonstrated, that your own administration has denounced them as illegal; and whatever the law located in England may say, the

See on this subject ‘letters from a Cosmopolite to a Clergyman, 2d and 3d letters.’

true law, *diffusa in omnes, constans, sempiterna*, which has no locality, and pronounced in any other part of the world, acquits us.— Moreover you paid us for similar spoliations in the administration of Mr. Pitt: so did your allies in the invasion of neutral rights.— Perhaps in discussing the question we might agree to a similar reference; perhaps our mutual friend Russia might give us a casting vote; or lend us an umpire. You must not expect to be *always* judge in your own cause; were it enemy's property there could be no other tribunal, but this is not even pretended.

35th Par.—“Had the American Government been sincere in representing the Orders in Council, as the only subject of difference between Great Britain and the United States, calculated to lead to hostilities; it might have been expected, so soon as the revocation of those Orders had been officially made known to them, that they would have spontaneously recalled their ‘letters of marque,’ and manifested a disposition immediately to restore the relations of peace and amity between the two powers.

36th Par.—“But the conduct of the Government of the United States by no means corresponds with such reasonable expectations.

37th Par.—“The Order in Council of the 23rd of June being officially communicated in America, the Government of the United States saw nothing in the Repeal of the Orders in Council, which should of itself restore peace, unless Great Britain were prepared, in the first instance, substantially to relinquish the right of impressing her own seamen, when found on board American merchant ships.”

Here again we must refer to paragraph 30. Once for all, we *never did* represent the Orders in Council as the *only* subject calculated to lead to hostilities. And if we have shown, as we have abundantly shown, that we had other most irritating and most cruel causes of hostility; how can you have the conscience to turn our forbearance to commence it, into a jesuitical pretence of insincerity on our part?

38th Par.—“The proposal of an armistice, and of a simultaneous repeal of the restrictive measures on both sides, subsequently made by the commanding officer of His Majesty's naval forces on the American coast, were received in the same hostile spirit by the Government of the United States. The suspension of the practice of impressment was insisted upon, in the correspondence which passed on that occasion, as a necessary preliminary to a cessation of hostilities: negotiation, it was stated, might take place without any suspension of the exercise of this right, and also without any armistice being concluded; but Great Britain was required previously to agree, without any knowledge of the adequacy of the system which could be substituted, to negotiate upon the basis of accepting the legislative regulations of a foreign state, as the sole equivalent for the exercise of a right, which she has felt to be essential to the support of her maritime power.”

39th Par.—“ If America, by demanding this preliminary concession, intends to deny the validity of that right ; in that denial, Great Britain cannot acquiesce ; nor will she give countenance to such a pretension, by acceding to its suspension, much less to its abandonment, as a basis on which to treat. If the American Government has devised, or conceives it can devise, regulations which may safely be accepted by Great Britain, as a substitute for the exercise of the right in question, it is for them to bring forward such a plan for consideration. The British Government has never attempted to exclude this question from amongst those on which the two States might have to negotiate : it has, on the contrary, uniformly professed its readiness to receive and discuss any proposition on this subject coming from the American Government ; it has never asserted any exclusive right, as to the impressment of British seamen from American vessels, which it was not prepared to acknowledge, as appertaining equally to the Government of the United States, with respect to American seamen when found on board British merchant ships : but it cannot, by acceding to such a basis in the first instance, either assume or admit that to be practicable, which, when attempted on former occasions, has always been found to be attended with great difficulties ; such difficulties as the British Commissioners, in 1806, expressly declared, after an attentive consideration of the suggestions brought forward by the Commissioners on the part of America, they were unable to surmount.”

We shall only add to our former observations on this subject, that the regulations of a foreign state here referred to, were the regulations of the undoubted maritime rights of her own merchant ships ; such regulations, as you neither will, nor ever have suffered to be invaded in your own case, recommended moreover by the continual abuse of the power for which you are contending against all right, and infinitely better calculated to give you all that you pretend to want. And what is this pretence of a readiness to receive and discuss any proposition, that may come from the American Government on this subject?—discuss the propositions already made, and recapitulated above, and, which, but for a change of administration, we have little doubt would have been agreed to as soon as the popular deceptions on this subject, which it required time to surmount, could have been removed.—Let us hear your objections to them at once, if you have any to make. We want none of your sailors, nor any of your subjects. We cannot deny them the rights of hospitality,

*Et cunctis undamque auramque patentem.
quod genus hoc hominum, quæve hunc tam barbara morem
ermittit patria ?*

but you may be assured we covet them not :—they graft not to advantage on our stock :—there are few of them that we would not willingly be rid of :—and if you were to take them back one with the others,

you would find that you had only acquired the addition of *minis*. We are not so uncharitable as to judge of you by no better sample. Moreover we have no desire to diminish your means of defence against your enemy, with whom we have also a reckoning to settle if we can get you off our hands. But if you will be seven years in discussing the plan, and can produce no better, do not keep our poor fellows imprisoned all the time; nor cajole, nor humbug us, (to use a suitable phrase,) with a pretence, now for the first time set up, that we may exercise a right which you never before allowed to any nation on earth; to impress our seamen, whom we never impress any where, from on board your Merchant ships where they are never to be found.

The only persons that the law allows the ships of a Belligerent nation to take out of neutral ships at sea, are military persons serving in the war. And were it otherwise, and were the rule which you now find it convenient to proffer, the universal rule, and applied in your own case, what would be your language? •

“Then take thy bond, take thou thy pound of flesh;
But, in the cutting it, if thou dost shed
One drop of English blood; thy ship and goods
Are, by the laws of England, confiscate,
Aye, and thy life is forfeit to the State.”

Par. 40.—“Whilst this proposition, transmitted through the British Admiral, was pending in America, another communication, on the subject of an armistice, was unofficially made to the British Government in this country. The agent, from whom this proposition was received, acknowledged that he did not consider that he had any authority himself to sign an agreement on the part of his Government. It was obvious that any stipulations entered into, in consequence of this overture, would have been binding on the British Government, whilst the Government of the United States would have been free to refuse or accept them, according to the circumstances of the moment; this proposition was therefore necessarily declined.”

We don't much wonder at your declining a proposition in this form; though it would have been but civil in you to let the public know what it was.—Perhaps it was of a nature to which you might have committed yourselves without any disadvantage from the United States rejecting or accepting your terms. And at all events, as Mr. Foster and Mr. Baker will tell you that we don't stand upon form, we should like to see a counter project sent hither.

Par. 41.—“After this exposition of the circumstances which preceded and which have followed the declaration of war by the United States, his Royal Highness the Prince Regent, acting in the name and on the behalf of his

Majesty, feels himself called upon to declare the leading principles by which the conduct of Great Britain has been regulated in the transactions connected with these discussions.

Par. 42.—“ His Royal Highness can never acknowledge any blockade whatever to be illegal, which has been duly notified, and is supported by an adequate force, merely upon the ground of its extent, or because the ports or coasts blockaded are not at the same time invested by land.

Par. 43.—“ His Royal Highness can never admit that neutral trade with Great Britain can be constituted a public crime, the commission of which can expose the ships of any power whatever to be denationalized.

Par. 44.—“ His Royal Highness can never admit that Great Britain can be debarred of its right of just and necessary retaliation, through the fear of eventually affecting the interest of a neutral.

Par. 45.—“ His Royal Highness can never admit, that in the exercise of the undoubted and hitherto undisputed right of searching neutral merchant vessels in time of war, the impressment of British seamen, when found therein, can be deemed any violation of a neutral flag. Neither can he admit, that the taking such seamen from on board such vessels, can be considered by any neutral state as a hostile measure, or a justifiable cause of war.

Par. 46.—“ There is no right more clearly established than the right which a Sovereign has to the allegiance of his subjects, more especially in time of war. Their allegiance is no optional duty, which they can decline, and resume at pleasure. It is a call which they are bound to obey: it began with their birth, and can only terminate with their existence.

Par. 47.—“ If a similarity of language and manners may make the exercise of this right more liable to partial mistakes, and occasional abuse, when practised towards vessels of the United States, the same circumstances make it also a right, with the exercise of which, in regard to such vessels, it is more difficult to dispense.

Par. 48.—“ But if, to the practice of the United States, to harbour British seamen, be added their assumed right to transfer the allegiance of British subjects, and thus to cancel the jurisdiction of their legitimate Sovereign, by acts of naturalization and certificates of citizenship, which they pretend to be as valid out of their own territory as within it, it is obvious that to abandon this ancient right of Great Britain, and to admit these novel pretensions of the United States, would be to expose to danger the very foundation of our maritime strength.

Par. 49.—“ Without entering minutely into the other topics, which have been brought forward by the Government of the United States, it may be proper to remark, that whatever the Declaration of the United States may have asserted, Great Britain never did demand that they should force British manufactures into France; and she formally declared her willingness entirely to forego or modify, in concert with the United States, the system, by which a commercial intercourse with the enemy had been allowed under the protection of licenses, provided the United States would act towards her and towards France with real impartiality.

Par. 50.—“ The Government of America, if the differences between States are not interminable, has as little right to notice the affair of the Chesapeake. The aggression in this instance, on the part of a British officer, was acknow-

ledged, his conduct was disapproved; and a reparation was regularly tendered by Mr. Foster on the part of his Majesty, and accepted by the Government of the United States.

Par. 51.—“It is not less unwarranted in its allusion to the mission of Mr. Henry; a mission undertaken without the authority or even knowledge of his Majesty's Government, and which Mr. Foster was authorised formally and officially to disavow.

Par. 52.—“The charge of exciting the Indians to offensive measures against the United States is equally void of foundation. Before the war began, a policy the most opposite had been uniformly pursued, and proof of this was tendered by Mr. Foster to the American Government.

Par. 53.—“Such are the causes of war which have been put forward by the Government of the United States. But the real origin of the present contest will be found in that spirit which has long unhappily actuated the Councils of the United States: their marked partiality in palliating and assisting the aggressive tyranny of France; their systematic endeavours to inflame their people against the defensive measures of Great Britain; their ungenerous conduct towards Spain, the intimate ally of Great Britain; and their unworthy desertion of the cause of other neutral nations. It is through the prevalence of such councils, that America has been associated in policy with France, and committed in war against Great Britain.

Par. 54.—“And under what conduct on the part of France has the Government of the United States thus lent itself to the enemy? The contemptuous violation of the Commercial Treaty of the year 1800, between France and the United States; the treacherous seizure of all American vessels and cargoes in every harbour subject to the control of the French arms; the tyrannical principles of the Berlin and Milan Decrees, and the confiscations under them: the subsequent condemnations under the Rambouillet Decree, antedated or concealed, to render it the more effectual; the French commercial regulations, which render the traffic of the United States with France almost illusory; the burning of their merchant ships at sea, long after the alleged repeal of the French Decrees—all these acts of violence, on the part of France, produce from the Government of the United States, only such complaints as end in acquiescence and submission, or are accompanied by suggestions for enabling France to give the semblance of a legal form to her usurpations, by converting them into municipal regulations.

Par. 55.—“This disposition of the Government of the United States—this complete subserviency to the Ruler of France—this hostile temper towards Great Britain—are evident in almost every page of the official correspondence of the American with the French Government.

Par. 56.—“Against this course of conduct, the real cause of the present war, the Prince Regent solemnly protests. Whilst contending against France, in defence not only of the liberties of Great Britain, but of the world, his Royal Highness was intitled to look for a far different result. From their common origin—from their common interest—from their professed principles of freedom and independence, the United States were the last power in which Great Britain could have expected to find a willing instrument, and abettor of French tyranny.”

Par. 57.—“Disappointed in this his just expectation, the Prince Regent

will still pursue the policy which the British Government has so long and invariably maintained, in repelling injustice, and in supporting the general rights of nations; and, under the favor of Providence, relying on the justice of his cause, and the tried loyalty and firmness of the British nation, His Royal Highness confidently looks forward to a successful issue to the contest, in which he has thus been compelled most reluctantly to engage."

We have thrown all this declamation together; not from the least desire to shrink from a critical investigation of it, paragraph by paragraph, but because it will be seen that much of it has no relation to us; much has already been answered: much is employed in the empty cry by which alone the English Nation can be duped into hostility with us, that we are associated with France, which we have shown to be without a shadow of evidence, and of which we challenge a single proof from that correspondence so vainly invoked, or from any other source.—Because our doctrine of Blockade is neither that which France, or England chooses to set up, to answer shifting, and occasional purposes, but that which England has always asserted, till shifting and occasional purposes led her astray from the right path;—because our doctrine of retaliation confines it to the party committing the wrong; and considers it "monstrous," as Sir William Scott does or rather did, "to suppose, that because one country has been guilty of an irregularity, every other country is let loose from the Law of Nations, and is at liberty to assume as much as it think fit." (1 Rob. 142.) We do not allow that your Officers have any excuse in the similarity of language and manners for seizing our seamen; they are easily distinguished. You naturalize a seaman after two years' service on board any ship: (6 Anne, c. 37.—13 Geo. II. c. 3.) we, after five years' residence like any other man. We neither entice nor harbour them, but take the few that fall in our way, as we do your manufactures, because they are offered at a fair price.

'What the President has said of forcing your manufactures into France *after they had become neutral property*, is the fair inference of the words of Mr. Foster. On the subject of the Chesapeake, you are quite right that we ought to be silent; and considering the mistake that one of our own officers, of considerable reputation, has since made in East Florida, we are disposed to mutual forbearance.

That the plot of Henry did not originate with you, we don't mean to dispute; that you knew and did not discourage it, we presume, will not be denied: to say that you did not promote and encourage it indeed, to a certain point and period, would be to deny your share in

the correspondence; which you never have done, because, indeed, you cannot. And that you looked to unfavorable consequences to the Union from it, we strongly suspect;—it is impossible to refer to the Debates in the House of Lords, at the time this plot was in operation, without perceiving that such effect was fondly anticipated. We believe that Spain is satisfied with the measures we have adopted in respect to our claim upon her; we are sure she ought to be;—we mean to adjust that claim with honor and liberality; and should have no objection if at Peace, to make you the referee in any matter of dispute with her, which however we do not anticipate.

We have, it is true, some very serious demands upon France, but they do not affect you, and are not of a nature with which you have any right to interfere. We have only to regret that we are not strong enough to fight you both; and hope that, after the alternations of ill treatment, that you have been running a race to inflict upon us, you will give us the opportunity of repelling the calumnies so liberally bestowed upon us, without a particle of foundation, by retiring from the field, that we may enter the lists with your enemy,

POSTSCRIPT.

SINCE the first impression of these sheets, which were written and sent to Press as soon as the answer of Lord Castlereagh to Mr. Baring appeared in the *Chronicle* of Tuesday last; and before they were ripe for the public eye; a debate on the subject of them has been held in Parliament, of which it may be useful to take a brief notice. Mr. Canning is reported to have said last night, that he did not impute to the Americans, that they were the friends of France. For this concession, after his manifold charges of manifest partiality, we are perhaps indebted to the previous assertion of Mr. Foster; but reverting soon to the enmity which he cannot conceal, he refers to the contest in which Russia has been since engaged, and of which America, at the time when War was resolved on, could not have had even a prospective view, as influencing her determination at that time; and he talks of America as leagued with the Oppressor of the world, with the Document before his eyes in which the American Executive, (five months already at War with us, and at a period when, according to all appearances, in America, success was attending, and likely to con

to attend, the Arms of France against Russia,) had enjoined on the Legislature, not to entangle itself in the views of that power. It is extremely important, to a right understanding of those things, that we should remember the distance from Europe to America, and from America to Europe: the Orator, that is, allowed to annihilate both space and time, can have no difficulty in establishing his point.

Another remark on the Debate attaches to the Speech of Mr. G. H. Rose; who, in asserting the number of British sailors on board the American frigates, before the employment of foreigners was disallowed, let the house into the secret that it was the easiest thing in the world to discriminate between an English and an American sailor:—"they are easily distinguished by their manners and habits, which are very different from ours." Meaning thereby, from those of our sailors—so says the Anticipation. But with this fact before our eyes, and ten thousand impressed American seamen on board our ships, can we hesitate to substitute for the practice of our officers, (wanting men, and subjecting the *property* of a free man *in himself* to their rapacity,) the mode in which the American Government has proposed to join its efforts to ours to procure us all our own, but without any of our neighbour's, goods?

Another subject remains to be noticed, though last, not least. Mr. Foster has informed the house that Mr. Madison is no Frenchman; and Mr. Munroe is no Frenchman: and Mr. Canning, whatever he *has* done, or *may* do, ceased for a moment to impute to the Americans that they were the friends of France. I congratulate the world on the developement of this discovery:—not on the discovery itself, for it is some years old—it is to be found in the Diplomatic Correspondence, and in the personal averments of all the Ministers that we have sent to America, including Mr. G. H. Rose, and with the single exception, it may be, of Mr. Jackson, who had little opportunity of knowing any thing about it. Hear what Mr. Erskine says on the subject to this same Mr. Canning, (who is first melted into a momentary contrition by the Speech of Mr. Foster,) in a Letter of the 25th of March, 1809.

"I *continue* to be *firmly persuaded* that Mr. Madison, *would most willingly* seize the first opportunity of recommending to the next Congress to assert the Neutral rights against France, should His Majesty deem it to be just or expedient to cause his Orders in Council to be withdrawn, as he has frequently, in conversation, said to me, that no hesitation would be felt in this Country of en-

tering upon hostilities with France, if she did not repeal her Decrees; but he always added that it was impossible the United States could take such a step, while His Majesty's Orders were in force."

But, says Mr. Canning, in his melting moments, brushing the dew from his prolific brow, "I do not say, Mr. Madison is the enemy of this Country,—no man is the enemy of a country,—but the determined enemy of its institutions, &c."

Let us hear Mr. Erskine on this point, in his letter to this same Mr. Canning, of December 4, 1808.—"He" (Mr. Gallatin, Secretary of the Treasury,) "turned the conversation immediately upon the character of Mr. Madison, and said that *he* could not be accused of having such a bias towards France: and remarked that Mr. Madison was known to be an admirer of the British Constitution, to be generally well disposed towards the nation, and to be intirely free from any enmity to its general prosperity. He *appealed to me*, whether *I had not observed* that he frequently spoke with approbation of its *institutions*, its energy, and spirit, and that he was thoroughly well versed in its history, literature, and arts."

Now, to this appeal, the whole scope of the correspondence shows that Mr. Erskine bowed assent:—his "confident belief" in the "unfeigned desire" of the American Government for "an Adjustment of their difficulties, and the maintenance of amity with Great Britain," runs through the whole, and has been corroborated by the testimony of all who have had equal opportunity of judging.—Yet, strange to tell, if any thing can be strange in these times, Ministers have adopted the clamors of party, *unsupported by a single overt act, or the least appearance of a concealed one*, in preference not only to the evidence before all the World, but to that of their own legitimate correspondents.

We have not time to comment upon the very pertinent and manly recognition of Mr. William Smith, who reprobated all idea of reciprocity between the state of the British Seaman employed in America, from his own choice, (excess of freedom) and the American Scaman impressed on board our Men of War, (excess of bondage.) But we cannot forego the remark, that Mr. Whitbread, (who, if he does not stand alone, stands pre-eminent, in asserting the rectitude of the American Government,) is always greeted by his opponents on such occasions with a multitudinous exclamation of *hear, hear, hear*, and thus truths, which posterity will find most clear, are brought into that temporary discredit which cannot fail to be followed by lasting regret.

February 19, 1813.

NOTES OMITTED.

Note A. Page 504.

Mr. Canning is reported to have "acknowledged" in the debate of the 18th of February, "that in this blockade there did arise matter for grave inquiry and serious distrust; but when explained there appeared no cause of dissatisfaction, for the force applied to carry the blockade into effect was specific and peculiarly framed for the accomplishment of the object designed." We shall not here stop to consider the construction put on this measure, and on that of the order of the 7th of January following, by his administration, when they found it convenient to predicate their own subsequent orders upon them, and to assert that the latter differed from the former "by an extension in operation only, but not in principle." The reader that wishes to see a disquisition on this subject will find it in the first and second letters of a Cosmopolite to a Clergyman. (Gale and Curtis, 1812.) If it were even pretended (and no evidence to such effect has been produced, though the production of it should certainly have preceded the condemnation of any property under these orders,)—if it were even pretended that a fleet were continually cruising about the North Sea and the Channel, to intercept any ships that they might thus by accident fall in with, bound to any of the ports within the notification; (the only force that Mr. Canning can refer to, and this without proof;) this would not amount to a legal blockade, which could only be constituted by that stationary force before each interdicted port, that would make the entrance to it, or the exit from it, manifestly dangerous.—This alone would meet the construction of the law by Sir W. Scott, and by British diplomatists as well as judiciary authorities. In the year 1711, in resistance of the blockade of certain ports of the Baltic by the King of Sweden, a memorial from Great Britain contained the following words: "Si les dites Villes étoient actuellement assiégées ou bloquées, les sujets de sa Majesté, et de leurs hautes Puissances n'auroient point de prétexte d'y aller, mais le cas est bien différent par rapport à quelques Vaisseaux, qui croisent seulement dans la mer Baltique." (Mémoires de Lamberty; v. 6. p. 466.) The doctrine here is quite unequivocal, neither is it contested, but on the contrary it is confirmed by the opposite party; who, with a resolution like that of England to contend against all the would rather than surrender a maritime right, maintains this right only on the ground of a close investment of the different places "in quorum vicino aut conspectu naves nostræ constitutæ et locatæ sunt," "ad omnes illos portus, claudendos, aretque obsidendos." (Ibid. p. 451. et 451.) The quotations are here abridged and combined for brevity's sake; but the documents more at large amplify the doctrine, without any contradiction of it.—See also the treaty of June, 1801, between Great Britain and Russia, in which the necessity of a stationary force is asserted not as a special stipulation but as a general principle; and Sir William Scott in Robinson's Reports *passim*, and particularly in the case of the *Juffrow Maria*—Schroeder. v. 3. p. 155. "This fact I will venture to assume, that orders must have been given to these cruisers, in the most regular manner; yet I cannot shut my eyes to a fact that presses upon the court, that the blockade was not *been duly carried into effect*." (p. 156.)—"There can be no doubt then of the intention of the Admiralty, that neutral ships *should not be permitted to go in*; but the fact is, that it was not, in every instance, *carried into effect*." "What is a blockade, but to prevent access by force?"

If the ships stationed on the spot to keep up the blockade will not use their force for that purpose, it is impossible for a court of justice to say, there was a blockade actually existing at that time, so as to bind this vessel." (p. 157.) "It is in vain for governments to impose blockades; if those employed on that service, will not enforce them." (p. 158.) "ship restored." The learned Judge had abundant authorities to justify this decision.—Among others, there was one before him from Bynkershoek in complete analogy with the last words here quoted, that a blockade is virtually relaxed *si segnius Ora observata fuerint*.

Note B. Page 517.

So also in the case of the Fox. "From every thing that must have preceded, and from every thing that must have followed, the revocation of the *French Decrees*, if such revocation had taken place, I think I am justified in pronouncing that no such event has ever occurred. The only document referred to on behalf of the claimants is the letter of the person styling himself *Duc de Cadore*. That letter is nothing more than a conditional revocation: it contains an alternative proposed—either that *Great Britain* shall not only revoke her Orders in Council, but likewise renounce her principles of blockade, principles founded upon the ancient and established Law of Nations; or that *America* [here the important words are also omitted] shall cause her neutral rights to be respected; in other words, that she shall join *France* in a compulsive confederation against this country. It is quite impossible that *England* should renounce her principles of blockade to adopt the new-fangled principles of the French Government, which are absolute novelties in the law of nations; and I hope it is equally impossible that *America* should lend herself to an hostile attempt to compel this country to renounce those principles on which it has acted, in perfect conformity to ancient practice and the known law of nations, upon the mere demand of the person holding the government of *France*. The *casus federis*, therefore, if it may be so called, does not exist; the conditions on which alone *France* holds out a prospect of retracting the decrees, neither are, nor can be fulfilled." (Edwards, v. i. p. 324.) It will be seen here, independently of the evidence referred to, under paragraph 10, of the American doctrine of blockade following the English, and not the French construction, that, as in the case of the Snipe, an inference is drawn from the words, as erroneously quoted, which the true text would not allow. Dr. Adams in his argument against the Snipe says, "the court was pleased to put its own interpretation upon these words 'causing her rights to be respected.'"—Be it the court's monopoly! he might have added that the interpretation fitted the words, for the words were made to fit the interpretation; and who shall say, if my livery be too small for a new servant, that I have not the right to take the man in.

In the letters from Marquis Wellesley to Mr. Pinkney, the same omission is followed so closely by the same inference, that one would almost suppose them the work of the same hand: "that letter states," says the noble Marquis, "that the decrees of Berlin and Milan are revoked, and that from the 1st of Nov. 1810, they will cease to be in force, it being understood, that in consequence of this declaration, the English shall revoke their Orders in Council and renounce the new principles of blockade which they have attempted to establish." And here he stops:—converting a semicolon into a period, and thus omitting the precise alternative which demonstrates the equal proffer of the United States to both belligerents; but not content with this omission of the precise condition of the alternative, a paraphrase is added by his Lordship, without travelling out of the paragraph, which perverts the particular mode of resistance offered by the United States, to either belligerent revoking her hostile edicts, against the other refusing, into a general resentment against Great Britain alone. A separate condition, relating to America, seemed also to be contained in this declaration, by which America might understand, "that the decrees of Berlin and Milan would be actually repealed on the 1st of November 1810, provided that America should resent

any refusal of the British Government to renounce the new principles of blockade, and to revoke the Orders in Council." (Wellesley to Pinkney, 29th Dec. 1810.) There is another evident omission of reference to the act of Congress of the 1st of May, 1810, in the subsequent letter of the Noble Marquis to Mr. Pinkney of the 11th of February, 1811. "If Great Britain shall not submit to these terms, it is plainly intimated in the same letter that France requires America to enforce them." France only required of America to put this act in force.

FROM THE NATIONAL INTELLIGENCER OF AUG. 4.

WE have seen, with great regret and surprise, the many misrepresentations of the views of the Government which are daily published in the federal prints. At a time like this, when the exertions of every individual should be directed to an efficient prosecution of the war, solemnly declared by the constituted authorities, such misrepresentations cannot but have the most baneful influence as well on the present as on the future prospects of our country.

To put an end to them, so far as is in our power, we will remark, that although the Government are making the most vigorous efforts to prosecute the war against England with effect, they are disposed to accommodate all differences on the most reasonable conditions.

As an inducement to the British Government not to impress seamen from our vessels, our Government is yet willing, as it is well known it has long been, to enter into an arrangement, to be reciprocal, to prevent the employment of British seamen in American vessels, public or private. Such an arrangement would put an end to all pretext on the part of Great Britain for impressing men from our vessels; and the great advantage she would derive from it, if her only object, as is alleged, is to get her own subjects, ought to induce her to accede to it; for it must be evident that the exclusion of British seamen from our service, would secure to her more than she can gain by impressment. Seamen must have employment, and the exclusion of those of Great Britain from our service would confine them in a great measure to that of their own country. Such an arrangement, then, would be advantageous to Great Britain, merely as an expedient to increase her maritime strength, while it would have the effect of bringing into our service our seamen, and also of augmenting their numbers.

We state with pleasure another fact, which we believe to be equally true—that our Government will not, under any circumstances that may occur, form a political connexion with France. To the injuries received from her, a just sensibility has always been felt. The war with England has not abated it, nor has it diminished the zeal or weakened the effort to obtain redress. The idea of a political connexion with France, as an expedient to extort justice from England, is treated with disdain by every person connected with the Government. It is not desirable to enter the lists with the two great belligerents at once, but if England acts with wisdom, and France perseveres in her career of injustice and folly, we should not be surprised to see the attitude of the United States change towards those powers. We are now at war with England, let her Government do us justice—let the other continue to refuse it, and from that moment we have no doubt that the United States will assume a correspondent relation with both.

The United States are placed by the injustice of the belligerents in an important case, but we are confident they will go through it with honor and advantage. If the citizens of the United States make common cause, and support with energy and decision the measures of Government, the result is certain. They will obtain what they have a right to demand,—first of Great Britain, and afterwards of France. Success in this struggle will secure them the respect of both the belligerents and of all Europe. It will also secure them a permanent peace, and in other respects, a just reward for all their exertions. We are confident that nothing will be wanting on the part of the Government to ensure success. It has boldly taken on itself a great responsibility,—one which the exigency of the times required, and we are satisfied it will acquit itself to the just expectations of the country.

A
LETTER

TO

THE RIGHT HONORABLE

The Earl of Buckinghamshire,

PRESIDENT OF THE BOARD OF COMMISSIONERS FOR THE
AFFAIRS OF INDIA,

On the Subject of an

OPEN TRADE

TO

INDIA.

1813.

A LETTER, &c.

MY LORD,

AFTER perusing the proceedings which have taken place at the East India House, respecting the renewal of the Company's exclusive privileges, it is utterly impossible for any individual, who feels at all interested in the welfare of his country and the preservation of its constitution, not to experience sentiments of equal regret and surprise at the communication made to the Court of Directors, in your Lordship's Letter of the 4th January, 1813, viz. that it was the intention of his Majesty's Ministers to transfer the Indian Trade, both Import and Export, to the Out-ports. In referring to the gracious speech of his Royal Highness the Prince Regent at the opening of Parliament, it appears that his Royal Highness called upon the Legislature to make such an arrangement "*as may best promote the prosperity of the British possessions in India, and at the same time secure the greatest advantages to the Commerce and Revenue of his Majesty's Dominions.*" If your Lordship be of opinion that by recommending Parliament to open the Trade to the Out-ports, you will fulfil the duties attached to the high station which your Lordship fills as President of the Board of Commissioners for the Affairs of India, in a manner

which will secure the greatest advantages to the commerce and revenue of his Majesty's dominions, I must deeply lament such a determination; and as there is still a short period left previously to its being finally discussed in Parliament, I do myself the honour of addressing this Letter to your Lordship, in which I shall endeavour to show the impolicy of opening the trade, even to the Port of London: after which I shall bring to your Lordship's notice the fatal consequences which will result to the individuals interested in the continuance of the East India Trade to the Port of London, should the same be transferred to the Out-ports: and I shall conclude by recalling to your Lordship's recollection the opinions entertained on the Indian subject by those enlightened statesmen, now no more,* whose opinions, while they lived, your Lordship and your noble coadjutors in office were always disposed to receive with deference.

The importance of the subject is admitted by all to be great, and as it must be evident *whence* that importance has arisen, it behoves those, in whose hands the task of ensuring the greatest benefit to this country from our Indian possessions is placed, to guard against turning the stream from its present channel, through which such great advantages, in every point of view, have been realized to this kingdom; and permitting so fruitful a source to expend itself in rivulets as insignificant, as the grounds for expecting that great benefits will be derived from such a change, will prove unfounded and fallacious.

The first object in our Indian trade which presents itself, to use the words of the late Lord Melville, "*is to furnish the means of exporting British manufactures to the fullest extent, to bring raw materials from India, to open full scope to the remittance of fortunes from India, and finally to crush or bring to the River Thames the clandestine Trade.*" This, it cannot be denied, is or ought to be the principal object in any system which may be devised for our Indian Trade. Let me then ask your Lordship if the means of exporting British manufactures to the fullest extent has not been most amply attained when they can be purchased in India at prime cost, and when ships returning to India

* The Right Hon. Wm. Pitt. The late Lord Melville.

cannot get cargoes, because no one will send out goods for the sale of which a market cannot be found.

I will ask your Lordship whether it is not a sufficient proof, that the raw materials have been imported from India to the fullest extent, when the warehouses of this country are groaning under unsaleable produce?

I will ask your Lordship whether it is not a sufficient proof, that Indian commerce has been extended greatly beyond the bounds of policy, when individuals waive the mode of remitting home their fortunes through commerce, and avail themselves of drawing on the Company's Home Treasury to a most enormous extent?

It is only then on the principle, that greater advantages would be derived to the country in the way of revenue, and a greater number of individuals benefited, that a change in the commercial system of India, as at present carried on, can with any justice be urged. It will therefore be well to consider, in the first instance, whether those two advantages are likely to be realized by opening the Trade, and whether it is worth while to hazard an experiment, in the trial of which the banks that confine the trade within its present fruitful channel, will be irrevocably broken down and destroyed.

With respect to the increase in the Revenue.—No one will deny that the greater the quantity of goods imported, the greater the duty will be; but as the duty is not payable till the goods are sold, it will follow of course that till the period of sale arrive, the Revenue will not be benefited.

With respect to the Exports, it is true the case is different, because the greater the export, the greater is the immediate benefit to the Home Treasury, as all goods pay duty before they are shipped for foreign parts.

It will not be denied that the exports to India ought to be regulated by the price which European goods sell at in India. An overflow of European exports will cause a depreciation in the value: consequently, the exports must be abridged, till the scarcity of goods in the Indian market brings the price to the standard at which it will yield a profit to the merchant. The same reasoning applies to the Import Trade, for if the Exports either yield little profit or are attended with loss, then the private trader must send bullion or find credit in India to purchase goods for the European

market. In the present state of the country, an exportation of *liq* cannot be made, and if the goods are to be bought on credit the promise of payment can only be made on the assumption that the goods will find a sale.

The produce of India now in this country in Company's goods, and goods of the Private Trader, amounts in value to no less a sum than Ten Millions sterling; and it is admitted that British Manufactures may be purchased in Calcutta for less than the original prime cost in England: the natural deduction then is, that there is already more India produce in this country than we can get rid of, and that our Exports to India greatly exceed the demand made for them.

What then can be expected from an open Trade? What advantage can be derived? The Imports and Exports may probably be greater, but of what benefit, if not saleable?—It must be evident, even to the meanest capacity, that it will be the source of embarrassment rather than assistance to the revenue, as the capitals hazarded in such a trade can never be expected to return common interest, and the sinking those capitals in such purchases will be a positive evil to Great Britain, by locking up funds which might otherwise be employed for more beneficial purposes.

It appears clearly by the statement made by a Director in his place, at the discussion at the East India House on the 26th ultimo, that the whole of the Trade or return of India to all the European States by the medium of America, by foreigners, and through Great Britain, will be required to make a remittance to England, according to the present state of affairs with that country.

By the printed papers, page 56, it appears that the Trade, on an average of six years, was as follows; (it is probably nearly the same amount at present), viz.

Imports from India by the East India Company	£ 1,351,483
Ditto by Commanders and Officers of the Company's Ships	923,167

¹ This fact is not solely incidental to years of war but to those of peace, for it can be incontestably proved that in 1788 and 1789, many articles of British manufacture sold at Calcutta, for less than one half of the original prime cost in England, and this has occasionally happened at different times since that period, when the markets have been glutted with British merchandize.

Ditto by British Private Traders	-	-	-	946,956
Ditto by Americans	-	-	-	800,547
Ditto by Foreign Europeans	-	-	-	406,293
				<hr/> 3,828,445
European Disbursement for the Territory, which must be returned	}			850,000
* Interest of the Debt, which is at the option of the holders to have Bills for				1,500,000
* Clothing for the Armies abroad	-	-	-	300,000
* Exports by the Company	-	-	-	500,000
* By the Captains and Officers	-	-	-	469,956
By the Private Traders	-	-	-	500,072
				<hr/> 4,120,028
Sum that may be possibly remitted through China				500,000
				<hr/> 3,620,028

If this statement be correct, even supposing that goods or bullion be sent out in addition to India, how are the returns from India to be made? since here is the whole of the trade from India to Europe and America absorbed for the return that must at present be made.

Your Lordship appears convinced of the necessity of the China Trade remaining a monopoly; and as India has contributed at times in a degree to the China investment, and as the Company has made successful efforts to widen the circle of their commerce from India to China, so as to diminish the quantity of bullion required in the China market; it cannot surely be considered expedient to weaken the credit of the Company by withdrawing from them the Indian part of their exclusive privileges. Will it not even upon the supposition (though unfounded) that the Indian Trade has been upon the whole a losing one to the Company, be hazardous to take it from them, when the connexion of the India and China Trade has rendered the whole a profitable concern.

It is too true, that sanguine hopes are indulged by many persons as to the great emoluments which would arise from an open trade to India; but these individuals do not advert to the situation the Company would be in, if dispossessed of their exclusive rights. If their Charters should be taken away, the Company would be a body corpo-

rate in perpetuity, and intitled to trade upon its joint stock. The most important seats of trade in India, viz. Calcutta, Fort St. George, Bombay, besides the island of St. Helena, belong to the Company; these possessions are their patrimonial property, and cannot be taken from them. In addition to these, all the Factories and Commercial Establishments, both in India and the Eastern seas, unquestionably belong to them; these possessions were conveyed to them by the London Company, under parliamentary faith, and a Royal Charter: they were permitted to build fortifications to protect their factories, and they were to be allowed to carry on a trade on their joint stock, though the exclusive privileges should cease. Under these circumstances, it may be asked whether individuals, ignorant in every point of view of Asiatic commerce, will hazard a trade in competition with the East India Company? To use the arguments of the late Lord Melville, "It is easy for the speculator, while he merely considers the extent of our dominions in India, and that they are inhabited by fifty millions of our subjects, to fancy that he will find unbounded sale for his goods, but he does not reflect that the climate is against the wear of most of our manufactures; he does not reflect that the religious prejudices of many of the casts of the natives forbid their using them: he knows not that the dress of the natives is as fixed and local as their manners: it is easy also for the speculator to suppose that in such a country as India he will find a market for any quantity of Earthenware, but he does not reflect on the bulk of the commodity: he has not estimated the amount of the freight of it, or if he has, he does not know that the religious prejudices of many of the casts forbid their using what has been fabricated by the impure hands of infidel strangers. It is easy for the speculator to imagine that if he could find sales for his Cottons in India, his riches would keep pace with his desires: does he hope to rival his master in an art in which he is only an imitator, or can he expect, comparing the high price of

¹ It may not be wandering from the subject to remark, that whilst Ministers are receiving daily Petitions from the Manufacturers of Staffordshire, complaining of the want of vent for their China, that the Licences granted by the Board of Trade for a partial Trade to the Continent, have been the cause of an importation to this country of Continental China in such quantities, that its cheapness has been the cause of keeping our Manufactures entirely out of the market.

labor in Europe with the low price of it in India, that he can undersell him there?"

David Macpherson, Esq. in his History of Commerce with India, in page 362, says: "The Hindoo born and desirous to pass his life in the same country where his ancestors, through a long succession of ages, were born and passed their lives, whose food is rice, whose drink is water or milk, to whom wine or strong liquor is an object of abomination, and who if he strictly acts up to his religious principles, would sooner lay down his life than put any living creature to death, or permit a morsel of animal food to enter his mouth, whose warm climate renders any clothing beyond what decency requires intolerable, and whose light clothing is made by himself and his family from the cotton produced in his own fields, whose customs and religion, to which he adheres with the most inflexible constancy, render utterly inadmissible, many articles of enjoyment and comfort, which our habits have rendered almost necessary to our existence, can never have any desire to acquire the produce or manufactures of Europe." Hence it is evident that the exportation of European goods of any kind must be, and must ever remain, on a scale very contracted, compared to the population of the country, the demand being in a great measure confined to the small handful of Europeans, who are either in the service of the Company or living under their protection."

I have seen no arguments advanced, which carry conviction with them, in favor of an Open Trade; and I cannot conceive any regulations can be framed, should the trade be transferred to the Out-ports, which will secure our possessions in India from being over-run by desperate speculators from all parts of the British dominions, indeed from every part of Europe; who would purchase goods of any

"The Committee of the House of Commons on the East India Company's Affairs in May, 1809, examined several merchants of London who have resided in India, and now act as agents, who give it as their general opinion that the exportation of British goods to India might be greatly extended. But when they were pressed by the Committee to be more particular, they acknowledged, THAT A FULL CONCESSION OF ALL THE FACILITIES THEY COULD DESIRE, WOULD ONLY OPERATE TO MAKE BRITISH GOODS CHEAPER IN INDIA, WHERE, ACCORDING TO THE EVIDENCE OF SOME GENTLEMEN BEFORE THE SAME COMMITTEE, THEY ARE ALREADY TOO PLENTIFUL AND TOO CHEAP, BUT COULD NOT INCREASE THE CONSUMPTION AMONG THE NATIVES."

quality; ruin, of course, the quality of Indian manufactures, and, by sending the produce of them indiscriminately to all the European markets, soon put a period to the trade; for it is out of the power of your Lordship, in the event of an open trade from the Out-ports, to frame regulations, which would oblige every speculator to bring to Great Britain his cargo, when he knows that by proceeding direct to other parts of Europe, his gain will be sufficient, after meeting any penalty which may be inflicted upon him for such deviation on his return to this country (should he ever return,) unless your Lordship has been fortunate enough to discover a principle which is superior in the mind of a speculator to that of *self interest*. It is an unfortunate truth, that individuals are to be found in every nation ready to aid in schemes of enterprise, in direct opposition to the interests of their country; and it is the unsuccessful result of such adventures that induces them to be guilty of acts, at the bare thought of which, they would have shuddered in the first instance.

It is said that the speculations will be circumscribed by the means which the individuals concerned therein possess. To prove that this will not be the case, it is only necessary for me to refer your Lordship to the grant made by Parliament the 4th of April, 1811, (51 Geo. 3, cap. 15) of six millions, to assist the credit of individuals who had speculated to such an enormous extent in the South American trade, the result of which, it was to be hoped, would have in some degree allayed that spirit; but unfortunately it appears to have been only smothered for a time, to burst out with greater fury. Would it be credited by those who lived twenty years ago, that an individual should have had the effrontery to trade to the extent of half a million, upon a capital of twenty thousand pounds? My Lord, this spirit of speculation, by carrying the exports to such an extent, may be of a temporary assistance to his Majesty's Treasury, but to any man accustomed to look a little into futurity, it must appear to be a system pregnant with the most ruinous consequences to the individual trader, as well as to the country at large.

These extensive speculations, in which individuals have been encouraged to embark under false prospects of gain, have created a degree of luxury which it is impossible to contemplate without

the most serious apprehension: under the imaginary wealth which is calculated upon as realized, the establishments of men are increased, the shop is given up for the warehouse, the appellation of shopkeeper is despised, and that of merchant is assumed; carriages and equipages follow, till at last it is discovered that the speculation turns out contrary to the cherished expectations; instead of large fortunes being realized, great losses are sustained, and the goods which have been sent out on speculation, and paid for by bills forming a fictitious capital, are sold (if sold at all) for half the prime cost, the inevitable consequence of which is, that a succession of bankruptcies takes place: not only the manufacturer and speculator suffer, but the actual revenue of the country is lessened; for had the individual gone on in the regular course of business, he would have been looked upon as a regular contributor towards defraying the expenses of the nation. Such proceedings must give rise to fallacious opinions as to the actual revenue of the country, for as long as the spirit of speculation is encouraged, so long will the revenue of this country *apparently* flourish; but such a system can only be compared to a rapid decline, which we endeavour to persuade ourselves will not end fatally, and we are deceived by the appearances, which grow more favorable, the nearer the sufferer approaches to the last moment of his existence.

It may be said, my Lord, that I have overdrawn the picture of distress attendant on the spirit of Speculation which at present pervades this country; but on a reference to the weekly Gazettes, they will be found to bear ample testimony to the truth of the coloring.

It is said that the trade, as now carried on, is to the total exclusion of the British merchant: surely it must have escaped recollection that, by the Act of 1793, the Company is required to set apart three thousand tons annually, for the use of private persons, which have never been occupied to even half the extent; and it appears from indisputable authority, that the quantity of tonnage engaged by the East India Company, for the Private Traders of the United Kingdom (exclusively of that allowed to be exported in the privilege of their own captains and officers) amounted, du-

ring the last twenty years, to sixty thousand tons, and that during that period, only twenty-two thousand tons of every species of manufacture (including beer, and seven thousand tons of wine) have been actually engaged and shipped to India: and at this very moment, my Lord, when a want of tonnage is so loudly complained of to export British manufacture, country ships are under the necessity of returning to India without cargoes, no individual being inclined to ship goods for which he knows too well there is not any sale in the Indian markets.

The leading arguments made use of by the supporter of an open trade, are founded upon the doctrine held by Dr. Adam Smith, whose opinions on the subject of Monopoly, will always, theoretically speaking, carry great weight, but when reduced to practice, will lose much of their convincing powers. He continually sets up *theory* against *experience*, and *possibilities* against facts. Monopolies are only bad, when they engross a trade to the prejudice of the community at large, and oblige them to become purchasers of indispensable commodities at an exorbitant rate, whereas the Monopoly, if it can be so called, (considering the general acceptance of the word) enjoyed by the East India Company, enables the inhabitants of this kingdom to obtain every article of Indian produce at the very lowest possible rate, and of the best quality.

While I am as much disposed as any other individual to receive with deference the doctrines enforced by so able a writer as Adam Smith, I cannot shut my ears to the arguments of men, who have been held in equal estimation for their talents and knowledge in national policy: I shall therefore quote the opinion of Wattel, referred to by Mr. Macpherson, in his work, page 342, viz. "Commerce is the common good of the nation, all the members of which have an equal right to it. Monopoly is therefore in general contrary to that right." To this rule *there are nevertheless some exceptions founded upon the GENERAL INTEREST OF THE NATION*; and in some cases "a wise Government may establish a Monopoly. There are some commercial enterprises which cannot be accomplished without an armed force, and require great capitals beyond the power of private individuals. THERE ARE OTHERS WHICH WOULD

¹ *A wise Government.* His Majesty's present government may possibly feel that they cannot lay claim to such a justification for continuing the exclusive privilege of the Company.

SOON RUIN THE UNDERTAKERS, IF THEY WERE NOT CONDUCTED WITH GREAT PRUDENCE AND HARMONY OF COUNCILS TOGETHER WITH AN UNREMITTING PERSEVERANCE IN ESTABLISHED MAXIMS AND RULES. As such branches of Commerce cannot be carried on by individuals; companies are formed under the authority of Government, AND AS SUCH COMPANIES CANNOT BE SUPPORTED IF OTHERS ARE PERMITTED TO INTERFERE IN THEIR TRADE, IT IS ADVANTAGEOUS TO THE NATION AT LARGE THAT CERTAIN PRIVILEGES SHOULD BE CONFIRMED TO THEM."

A noble author,¹ writing on the subject of Political Economy, observes, that commerce, pushed to the extent to which the spirit of speculation would induce individuals to carry it, would involve not only themselves but their country in inevitable ruin: it may, therefore, be urged with great reason, that the Indian Trade, being reserved to the East India Company, not only causes a regular and ample supply of Indian produce, but is the cause of preventing numerous individuals from embarking in a trade, which cannot produce to the nation at large, much less to the persons who seek to have the India and China trade thrown open, those advantages which are so strenuously held forth, but so delusively conceived. It is no easy matter to convince any set of men of their error, who fancy their interests and fortunes are concerned in prosecuting a measure, no matter how absurd, when calmly contemplated; it therefore becomes an imperative duty on those who have the power in their own hands, not to get rid of it before they are convinced it will not be used in a manner detrimental to the state.

At the meetings of our manufacturing towns, it has been resolved, that the exclusive privileges of the East India Company are a monopoly, and that it is for the interest of the manufacturers that the monopoly should be done away. In the words of the late Lord Melville, I would wish to ask the projectors of such Resolutions, whether they have examined what the Company has been, or what it now is? To whom do they owe the riches which they have acquired from the cotton manufactures? To the East India Company! To whom do they owe the riches, which they have ac-

¹ Lord Kaimes.

quired from the cultivation of indigo? To the East India Company! To whom has Great Britain been indebted for the great increase of its shipping? To the East India Company! If from other sources our industry and navigation have been increased, the original obligation is not on that account the less, and ought not to be forgotten: some small gratitude is surely due for all these benefits.

"The representation of the grievous hardships of excluding the great body of the nation from the trade for the benefit of the few is *very plausible, and likely to catch the assent of those who do not bestow much thought upon the matter.* Let us consider the effect of an abolition of this hardship. In the great body of the nation there are but very few individuals desirous of entering actively into the trade; therefore all the rest of the people, being at least ninety-nine thousand nine hundred and ninety-nine, in one hundred thousand, feel no deprivation of that which they do not desire to have. The truth is, that the abolition of the Company's privileges would deprive them of their rights held under the sanction of the law; and very much impair the property of all the proprietors of India Stock. Neither ought it to be forgotten that there are at all times some proprietors of the Stock of this envied monopoly who are willing to dispose of it, and that no person of either sex, or of whatever condition, age, religion, or country, is debarred from purchasing."

It is generally admitted that, for the first three or four years, the Indian trade may be carried on at a loss, but it will ultimately prove beneficial. I may be permitted to ask, whether the revenue of this country is in so flourishing a state that ministers can afford to risque a certain income of between four and five millions in that time; and what is proposed to be done with the produce of India which shall be brought to this country, the warehouses of which are overstocked to the amount of ten millions? and, *vice versa*, with respect to the export of British manufactures to India, which may be bought there for prime cost?

The result of an Open Trade will be the accumulation of difficulty and misfortune.

I now come to the proposition for a transfer of the Trade to the Out-ports. The arguments already urged against opening the Trade

even to the Port of London, will apply with a redoubled force to this proposition; I shall therefore proceed, as I proposed, to point out to your Lordship the ruin which will result to the individuals interested in a continuance of the East India Trade to the Port of London, should it be removed to the Out-ports.

My Lord, this is a part of the subject which calls for more consideration than has hitherto been given to it, as it not only involves the livelihood of a numerous body of the poorer classes of the community, but it goes to nothing short of utter ruin to the individuals engaged in the following branches of trade, as connected with the present system of conducting the Indian commerce, viz.

To a most numerous body of merchants and traders, engaged in the India and China trade, from the Port of London, all of the highest respectability in the commercial world:

To the several persons concerned, employed, and interested, in the building or equipment of East India shipping in the Port of London:

To the numerous class of commanders and officers in the naval service of the East India Company:

To the manufacturers of long ells, resident in the counties of Cornwall, Devon, Dorset, Somerset and Gloucester, added to which are the dyers, setters and calendrers, packers, inspectors of woollen goods, pressers and cloth drawers; all employed in the service of the East India Company.

The first class of individuals, viz. the merchants and traders, has sent three petitions to Parliament, and each of the other classes has also petitioned the Legislature. This is a mode of expostulation to which it cannot be supposed they would have resorted, if the injury they anticipated by opening the trade, were not great. indeed little less than ruinous to them:

The Common Council of the City of London, has also petitioned Parliament, and the inhabitants of the town of Gravesend. It may, my Lord, be considered futile, to quote some of the bodies before mentioned, but it must be allowed, that even individually, they carry much respectability with them, and collectively, it is impossible to point out so large a number of his Majesty's subjects more deserving of the care of the Legislature, in every point of view, than those herein enumerated; and that individual must be a very subtle

reasoner indeed, who can adduce arguments sufficiently convincing, to prove not only the policy, but what is more worthy of attention, the justice of injuring one part of His Majesty's subjects, by depriving them of a trade in which they have embarked their lives and fortunes, and from which this country has in times of distress reaped the most essential benefits, to throw it into the hands of individuals, who at the best are but speculators, indulging themselves in wild theories of fancied and endless riches.

It is not necessary for me to point out to your Lordship, the great injury that will arise to the merchants, by transferring the Indian Trade to the Out-Ports, as I am sure your Lordship must have given so important a part of the subject that consideration which it demands. I shall therefore content myself with entreating your Lordship's attention to a few observations in favor of the other classes, as the causes of the grievances they will suffer, cannot be so evident to your Lordship.

The persons concerned in the building and equipment of East India shipping, are ship builders, shipwrights, ship chandlers, mast makers, block and pump makers, boat builders, ship joiners, ship plumbers, ship painters and glaziers, smiths, copper smiths, anchor smiths, rope makers, sail makers, riggers, lightermen and watermen. The persons carrying on the trades abovementioned, have long been engaged therein, and have constructed and built large docks, manufactories and warehouses, storehouses and other premises, at great expense; they have invested large capitals, and have engaged numerous workmen.

The establishments so formed have been increased and carried to an extent, which has tended to characterize the Port of London, in its naval establishment, as the most extensive of any in the known world. The removal of the trade to the Out-Ports would consequently prove ruinous to the individuals, whose capitals have been embarked in the formation of the said establishments. The numerous classes of workmen and artizans employed therein, have become attached by long residence to the places where the said trades have been carried on, and connected by marriage with families settled about those establishments. These poor people would be thrown out of employment, and cast upon the world without the smallest chance of finding employment at the Out-Ports; where,

it must naturally be supposed, are to be found men accustomed to the different branches of equipping and fitting out shipping, and who are equally attached to the parts where they have long resided, and who would be naturally jealous of having their labors superseded by numerous classes of artizans from the Metropolis.

Another very important point for consideration presents itself in the removal of the trade to the Out-Ports: by such an act the country will be deprived of a resource in times of immediate danger and emergency, inasmuch as the budding of India shipping at the Thames, concentrates in one spot a numerous body of mechanics, who have already rendered the most essential services to the naval power of the country, and who are always capable of affording their united services at a few hours' notice, in cases of any great national calamity, an object which even great sacrifices ought to be made to attain; added to which, the large scale of India shipping has supplied, at moments most critical to the welfare of the country, great addition to its naval strength, a resource which would be lost if the Trade were thrown open, as the shipping which would be employed at the Out-Ports would be of so small a class, as to render them wholly unfit to be converted into ships of war.

This statement, my Lord, of the injury which will accrue to the India shipping interest by a transfer of the trade to the Out-Ports, will, I hope, meet with the consideration it merits, and I shall quote the speech of my Lord Castlereagh, in the House of Commons, on the Shipping of the Company, in May 1803. "His Lordship could not but suggest to the consideration of the House, that the shipping in the service of the East India Company was of a nature to be at any time converted into a great addition to the *National force of the Empire*. 'The ships of 1200 tons might upon any public exigency be armed as ships of the line; the ships of 800 tons might be equally employed as Frigates, and those of 500 tons might be employed as sloops of war.'" With how much more reason may that argument be urged at the present moment, when the war we are involved in with America behoves us to attend as much as we possibly can to the augmentation of our Naval power.

I shall now, my Lord; draw your attention to the injury that will be suffered by the third class, viz. The commanders and officers of the ships in the Company's service.

The naval service of the East India Company has been looked upon for a long period of years as a *national establishment*: the sons of respectable families have entered into that service with a view of supporting themselves and those depending upon them, and it has been frequently the case, so highly respectable is the naval service of the Company considered, from the qualifications required to enable individuals to fill the situation of officers in it, that time served in it was formerly taken as part of the period required to be served in the Royal Navy, to qualify for a Lieutenancy: the officers concerned in the naval service of the Company, have enjoyed advantages which no other persons can possibly have, who trade altogether upon their own accounts; they have been always intent upon finding out new articles of Exports, and Imports, without success, and it may be fairly concluded, that no new system can be devised, which will give such encouragement to speculation, as one which has appropriated one-twelfth of the whole shipping employed, to such a number of individuals *free of the charge for freight*, and who are all intent upon making the greatest advantage of the indulgence given to them.

If, therefore, the Company's exclusive privileges be annihilated, or materially intrenched upon, the naval service of the Company must fall to decay, and the utter ruin of the numerous class of persons, "who have hitherto been considered as having a right, unless forfeited by misconduct, to look up to the Company for constant employment, with the reasonable prospect of making a competent fortune before old age renders repose desirable and necessary, and with an assurance in case of failure of being protected and supported by the Company in a way not unsuitable to their rank in life. Must such valuable men when bending under the weight of years, if their endeavours to obtain independent competency have been unsuccessful, be turned adrift to starve, or to seek such employment as their diminished powers of exertion may be capable of, in situations inferior in emolument and respectability to those they have held in the Company's service? or can the Company support them when their own funds, which have hitherto so liberally

provided ease and competency for their superannuated servants of every description who have been in need of assistance, shall be torn from them? Will unconnected private merchants, attending to their own gain only, make them any compensation in lieu of the respectable establishments which they propose to abolish? Will they make any such provision for those who wear out their lives in their service? The same arguments will apply to the Company's retired military servants, also to their civil servants abroad, and those on their home establishment."

I now come to the case of the woollen manufacturers in the counties of Cornwall, Devon, Dorset, Somerset, and Gloucester: the individuals concerned in this important branch of the Company's Export Trade, have also been at the expense of erecting warehouses, buildings, and machinery, for the purpose of more effectually carrying on the woollen manufactories for the export trade of the Company. These manufacturers employ upwards of twenty thousand laborers, and consume the wool of nearly a million of sheep: they most essentially benefit the agricultural interest of the before-mentioned counties, at a period when all other channels of trade are shut. An increase in the export of the said articles cannot, with any prospect of gain, be adopted, as the East India Company has already completely glutted the foreign markets; the opening the trade, therefore, my Lord, would be to the woollen manufacturers of this kingdom, concerned with the East India Company, a most severe and ruinous act; it would not only be productive of most serious deprivation to them, and entire ruin to many thousand families, but there is every reason to believe, that the present export of British manufactures would be lost, not only to the counties already mentioned, but to England.¹

¹ It may possibly be observed, that if the trade should be thrown open, an equal, if not a greater supply of woollens would be required, by which the manufacturers would experience no loss: that this would not be the case is acknowledged by the manufacturers themselves, in their petition to Parliament. It is only by a regular system requiring a regular annual supply, that the manufacturers are enabled to keep the same number of workmen employed, and ensure the superior manufacture of their goods. With respect to a greater quantity of woollens being required by the open trader, the same argument which has already been made use of, may be again referred to, viz. "Where is the use of exporting goods for which there is no market?" and can it be supposed that the manufacturers would petition against their own interests, if they thought an open trade would be beneficial to them?

The Dyers of the East India Company are obliged to have been a certain length of time in the business before they can be appointed to that situation, they are obliged to have their dye-houses and plants furnished and fitted up in a particular manner; the expense attendant on which is not less than 200,000*l.* ; should, therefore, the trade be thrown open, the establishments in which so large a sum has been expended will be rendered useless, and the consequence will be ruinous to this class of individuals connected with the Company.

The setters and calenders have also expended large sums of money in the necessary establishments, which, in case of the dispersion of the East India Company's trade, would be dismantled, causing great injury not only to the freehold proprietor, but to the individuals in this branch of trade, as there is no other course of life to which they can turn to get a living, and the situation of their workmen would be in the highest degree distressing.

The packers are a body of tradesmen, employed by the Company, who are obliged to serve a regular apprenticeship to make them competent to be taken into the service of the Company. The removal of the Company's trade would in this particular branch occasion incalculable injury to a very great body of his Majesty's subjects. So great is the confidence reposed in this class of tradesmen by the Company, that woollen manufactures, to the extent of a million sterling annually, are placed under their final care till ready for shipping. The particular manner in which the goods for packing are delivered out week by week, for nine months in the year, gives regular employment to great numbers of the poorer class, and by the regular payment of the Company, proves a most beneficial thing to a very great body of the community; a removal of the trade to the Out-Ports would impose certain ruin on this class connected with the Company.

The inspectors of woollen goods to the Company, are sworn officers, they are men of long tried abilities, and would be literally thrown out of all means whereby they could gain a livelihood if the Trade should be transferred to the Out-Ports.

The same fatal effects would be felt by the pressers and cloth drawers employed by the Company. By the removal, therefore, of the trade to the Out-Ports, the classes herein enumerated would

be deprived of the means by which they can earn their livelihood, their property would be annihilated, and the speculative advantage to one set of individuals would be founded on positive ruin to many others.

The buyers of piece goods, and others interested in the sale of East India piece goods, will be most materially affected by the Trade being transferred to the Out-Ports. I shall make use of their own words, as contained in the Resolutions adopted at a meeting, held on the 22d April, 1812, to point out the injury that will arise to them, viz.

“That as Piece Goods are of an uncertain value, and depend very much on competition, it would not be possible to obtain for them at an Out-port the same prices as in London; and, consequently, that we should be undersold at the Out-ports, unable to carry on our business with the honor, respectability, and advantage we have hitherto done, and probably obliged to abandon the pursuit many of us have been engaged in for a great number of years, and driven to seek fresh undertakings, at a time when little benefit can be expected from them. And it is the opinion of this meeting, that it is the decided interest of the importers of Piece Goods themselves, that they should be continued to be brought to sale in the port of London (as the emporium of commerce) in the way that they now are, where they will have the benefit of the Company's own assortment.”

“That in all silk and prohibited goods, and even in white goods, if not brought to the port of London, it is much to be feared, no restraints could prevent smuggling; which would occasion a loss of the whole duty to government, be seriously injurious to the fair trader, and especially to the manufacturers of silk goods in Spitalfields and elsewhere.”

“That the introduction of Indian piece goods to the consumption of this kingdom at low prices, in consequence of a total evasion of duty, or a payment of duty on reduced prices, would be a serious injury to the British cotton manufacturers.”

“That the same ill effects would occur to the manufacturers of Lancashire and Scotland, if sales of Indian piece goods were frequently to be made at Liverpool and Glasgow, or in any of the ports in the neighbourhood of the manufactories.”

"That it is of the greatest advantage to the great body of British cotton manufacturers to confine the import of India piece goods to one port, as it gives them the opportunity of viewing them, and regulating their manufactories, according to the quantity and sorts intended for sale; whereas, if individuals were allowed to import piece goods, and sell them at an out-port, the British manufacturer would never know what quantity might be brought into the market, or how to regulate his manufactory."

"That the principal factories in India for muslins, callicoes, and silk goods, being in the hands of our East-India Company, and the greatest attention being paid to maintain the qualities and fabrics of each sort, it is reasonable to conclude, that the same influx of foreigners, who purchase very large quantities of the national manufactures, will attend the sales at the India House (whenever the politics of Europe will allow them to come) as used to resort here for a series of years, provided the quantity exposed to sale by the East India Company is of sufficient importance to draw their attention."

"That the plan now pursued, of having periodical half-yearly sales of piece goods, and publishing a declaration every three months previous to the sale, prevents every merchant and manufacturer from being suddenly surprised by an excessive quantity being brought on, and enables the foreign buyer to make his arrangements to attend the sale, or to send his orders."

Another establishment of great magnitude and importance to the City of London, as well as to the individual concerned, will be rendered useless by a transfer of the Indian Trade to the Out-ports, and it is only necessary for me to refer to the Act of the Legislature, to impress upon your Lordship's mind, the necessity of giving this part of the subject due consideration, before you proceed to recommend measures which must involve the dearest interests of the several persons connected therewith.

By the Act of 43 Geo. III. cap. 126, An Act for the further improvement of the Port of London, by making Docks and other Works at Blackwall, for the accommodation of the East India Shipping in the said Port, it is enacted that, Whereas the Ships in the employ of the East India Company are of larger size than other vessels employed by Merchants in Trade; and many of them nearly

equal in bulk to the Ships of the Line in the Royal Navy; And whereas the Cargoes and Merchandize on board of such Ships ARE OF GREAT VALUE AND NATIONAL IMPORTANCE; and whereas by the present system of loading and discharging the Cargoes of such Ships, the Navigation of the River Thames is frequently impeded, and delays, losses and inconveniences experienced, and the Cargoes of such Ships are subject to plunder, and the East India Company and Owners thereof injured, and THE PUBLIC REVENUE DEFRAUDED TO A CONSIDERABLE AMOUNT; And whereas if GOOD AND SUFFICIENT WET DOCKS and Basons, with necessary accommodations and requisites for the reception of East India Ships were made at or near Blackwall, in the County of Middlesex, the evils and mischiefs aforesaid might be greatly remedied and prevented, &c. &c. The Act then goes on to recite under what terms, &c. the said Docks should be built, and the money raised for the purpose.

In Sect. 12 of the said Act, provision is made for the half-yearly payment of the interest on the money borrowed; and in Sect. 13, the application of the money so borrowed, is directed, first, in paying the Charges incurred in the passing the said Act; next, in paying and discharging the consideration of purchase-money and other costs, and afterwards in PAYING SUCH YEARLY OR OTHER SUMS OF MONEY AS THEREIN DIRECTED, FOR COMPENSATION FOR LOSSES AND DEFICIENCY OF TYTHES, TAXES, SEWER RATE, AND OTHER RATES AND ASSESSMENTS, &c. &c.

In Sect. 91 it is stated, that in consideration of the great charges and expenses in making the said Docks, the rate mentioned in the said Act should be paid by ships loading or unloading.

In Sect. 110 it is enacted, that none of the restrictions for Ships loading or unloading in the East India Company's Dock, shall continue in force for more than twenty-one years, commencing from the date of the first rate being taken.

It appears then, my Lord, that Parliament permitted the construction of the said Docks from a conviction that it would be an improvement to the City of London, that it would be the cause of greater security to the Revenue in securing the Cargoes of Ships EQUAL IN SIZE TO LINE OF BATTLE SHIPS AND OF GREAT NATIONAL IMPORTANCE.

If the Trade is removed to the Out-ports, this improvement will be rendered useless and become a burthen, unless empty warehouses and dry docks can be considered an improvement. *security arising therefrom to the Revenue is given up, and the Cargoes of Ships equal in size to Line of Battle Ships and of great National importance, are consequently of no importance.* By the construction of the Docks the Revenue will be deteriorated, for had the buildings still existed which were pulled down to make way for the Docks proposed to be now rendered useless, the inhabitants, individually, would still have contributed their quota towards the exigencies of the state, which must be now considered a positive loss, as well as the additional loss which will be occasioned by the non-payment of the interest to the individual subscribers; also the non-payment of tythes, assessments, &c. &c.

Secondly. That Parliament permitted individuals to raise large sums of money for the purpose of constructing their Docks. These sums were raised upon the faith of a continuance of the East India Trade to the Port of London, the ships engaged in which Trade were, by the said Act, obliged to enter the Docks; and from the rates paid by the owners of such ships, the individuals were to be paid the interest of the sums advanced by them, and ultimately the principal. If the Docks be rendered useless by a transfer of the trade, how are the individuals to be reimbursed?

Thirdly. So much importance was attached to the early completion of the said Docks, that in Sect. 91 it is expressly directed they should be constructed as soon as possible, and that even statements of their progress should be laid before Parliament yearly, and

Fourthly. It is enacted that none of the Resolutions of Ships unloading or landing in the East-India Docks shall continue in force for more than twenty-one years from the date the first rate shall be taken:—surely this provision implies, that at all events individuals concerned had a right to look for a continuance of the Trade, which would oblige the entering of ships into the East India Dock for the twenty-one years, and upon the faith of such a continuance they became subscribers towards erecting the said Docks.

I shall now refer to an establishment which will be abolished if the Trade is thrown open. I should not have noticed it had it not been a subject which has engaged parliamentary attention.

By the 37th Geo. III. cap. 74, the Company were enabled to raise and pay the expenses of two Regiments of Infantry, to be embodied for the defence and protection of the House and Warehouses of the Company, and for such public services as are mentioned in the said Act.

By the 43d Geo. III. cap. 48, the same Corps was again permitted to be raised, and his Majesty was pleased to accept of the services of the said Brigade of Royal East India Volunteers, and the consent of Parliament was obtained to authorize the charge of the same amongst the ordinary outgoings, charges, and expenses of the Company. This Corps, whose establishment was ratified by Acts of the Legislature, is to be at once abolished, consisting of Two Thousand men.

LORD CASTLEREAGH, in bringing the matter before Parliament in 1802, stated, "That an Act of Parliament had expired relating to the appropriating of certain parts of the profits of the East India Company to the support of the Volunteer Corps of the East India House." His Lordship enlarged on the utility of the Corps, which he termed trust-worthy, as being composed of the different servants of the East India Company; the superior officers being persons who filled the higher departments; the inferior officers of another class of respectable persons; and the privates of the warehousemen, and persons in the lower situations. Provision had been made by a former Act for two Battalions; which he wished to increase to three Battalions. The propriety of the force being thus raised and provided for, must be manifest to the House; they were to be composed entirely of men known and employed at the East India House, and none could be more worthy of being trusted with the care and preservation of the peace of the Metropolis upon an emergency. He therefore moved that the House should resolve itself into a Committee of the whole House on the subject."

The Company's military stores have supplied Government with arms and appointments at a time when a delay in obtaining such stores might have been of great detriment to the state.

Here, my Lord, is a statement of the ruin which will befall so numerous a body of his Majesty's subjects, and the establishments that will be broken up. Is it then too much to ask for a statement of the reasons or arguments which induced your Lordship to make

this sacrifice? For those arguments your Lordship has referred the Chairman and Deputy-Chairman of the East-India Company, to the Petitions from those out-ports to which it is proposed to remove the East India Trade. I shall avail myself of such permission, remarking at the same time, that in your Lordship's Letter to the Chairs, of the 4th ultimo, you explicitly state, "*that you have no difficulty in acquainting them, that the claims of merchants connected with the out-ports, have not been brought before government by WRITTEN DOCUMENTS.*" And in the following paragraph your Lordship says, "*You may obtain from the Records,*" viz. *The WRITTEN Petitions to Parliament, that farther information* (viz. the representations which have induced his Majesty's Ministers to acquiesce in the transfer of the trade) *which you appear desirous to possess.*" Pleading my incapacity to reconcile these two paragraphs, I shall proceed to consider these convincing Petitions, confining myself, of course, to those from the out-ports, which the Commissioners of the Excise, in their Report referred to in the Debate in the East-India House, on the 22d ultimo, consider as the only ports, which can, with any degree of safety to the revenue, or the country, be thrown open to the India trade; "for," say the Commissioners of Excise, "*the other out-ports appear to us for VARIOUS REASONS INSUFFICIENT.*"

The Ports stated by the Commissioners are

HULL
BRISTOL
LIVERPOOL
PLYMOUTH
DOVER, and
PORTSMOUTH.

I shall commence with *Bristol*, the Merchants of which city claim as their Birth-right, liberty to trade with Kingdoms gained by His Majesty's arms. That the Company's trade has decreased, whilst Foreigners have competed successfully with the Company, and that such trade has been obstinately denied to the Subjects of the United Kingdom. That the promise of pecuniary participation held out in 1793, has not been realized, but that the Company has made repeated claims on the Public. That the Petitioners rely on Parliament disregarding any argument that may be advanced in

favor of the Company, as their existence will be the ruin of the Naval greatness of Great Britain, and the downfall of its Independence; and upon these grounds they pray that the Trade may be opened.

With respect to the birth-right of the petitioners to trade with Territories gained by His Majesty's Army, in opposition to Enactments of the Legislature, it is not for me to decide, but it must not be forgotten that the Company's Troops have been the principal actors in the acquisition of our Indian territories. Does it appear that Foreigners have competed successfully with the Company, when the Trade on an average of six years stood as follows: viz.

Annual average of exports into India	£2,717,802
Do. Do. Do. by Americans and Foreign Europeans	£1,389,227
<hr/>	
Leaving a balance in favor of England of	1,328,575
<hr/>	
Annual average of Imports from India to England	2,621,606
Do. Do. Do. to America and Foreign Europe	1,206,839
<hr/>	
Leaving a balance in favor of England of	1,414,767

It therefore appears that this Trade so successfully competed by Foreigners, leaves an Annual Balance in favor of England of nearly Three Millions sterling, and that at a time when those foreigners were able to fit out vessels for an Indian voyage at half the expense of a vessel fitted out from Great Britain. How does it appear that the Indian Trade has been obstinately denied to the people of this country, when in the last twenty years the tonnage allotted for the use of individuals, exclusively of that allowed to be exported by the Company's Officers in their own Privilege, amounted to Sixty Thousand Tons; and that during that period only twenty-two thousand tons of every species of manufacture have been actually engaged and shipped to India, two-thirds of which Tonnage was occupied by wine, beer,

and spirits; and it must not be forgotten that in 1802 the Court of Directors agreed to extend the Tonnage for Private Trade to Six Thousand Tons, instead of Three Thousand Tons annually, or even to allow them as much as they might require, and it appears from indisputable authority, that in the twenty years above mentioned, very few of the Manufactures of this Country were exported, no application having been made by the Manufacturers themselves or their agents, for any part of the Tonnage so allotted.

The promise of pecuniary participation held out in 1793, was conditional, viz. If Peace continued in India. With respect to the claims made on the public for pecuniary assistance, the Advances from the State on that account do not amount to the Disbursements made by the Company, on account of the several Expeditions fitted out at their expense in India, on account of the Public Service; and upon what ground of equity could the country withhold from the East India Company, that relief which they so lavishly granted to support the credit of individual Merchants, the 4th of April, 1811. The Petitioners trust that the House of Commons will disregard any arguments, no matter how convincing, that may be urged in favor of the Company; (I conclude this is the petition which contains those arguments which have had such weight with your Lordship and His Majesty's Ministers). The Petitioners further state that our Naval greatness will be sacrificed by a continuance of the Trade to the East India Company: how does this agree with my Lord Castlereagh's speech in 1803, wherein his Lordship states, that the Company's Ships of 1200 Tons are fit for Ships of the Line; their Ships of 800 Tons, for Frigates: and their Ships of 500 Tons for Sloops of War. It is not improbable that the arguments made use of by the Petitioners, may convince your Lordship that 400 Ton Ships, of which burthen those Ships from the out-ports are to consist, are equally well adapted for Ships of the Line and Frigates.

The MERCHANT VENTURERS of BRISTOL come next: they assert their general right to an open Trade; they state that the same will tend to enlarge the means of diffusing articles of British Manufacture throughout India and the Islands and vast dominions of China, and will lead to the discovery of new Channels and unexplored Regions of Commerce. That the freedom of trading to India granted to the United States has enabled them to supply the West India

Islands to the injury of British Subjects. Here in truth, is an enlarged view of the subject, boundless Regions which are to yield countless Riches. There is to be a voyage of discovery conducted by men who possess not the smallest knowledge of the language, manners or wants of the natives, or of the Commerce of India. It is said that the Americans from the privilege granted to them of trading to India have been enabled to supply our West India Colonies to the injury of the British Merchant. Here, my Lord, the cloven foot shows itself. The open Traders must have the privilege of going direct to the West Indies from India, without coming to Great Britain, for if they come to England first, how can they compete with the Americans? Our revenue cannot but flourish under such an extension!

The BRISTOL DOCK COMPANY have also petitioned: *they represent that they have constructed Docks at great expense, anticipating an increase of Trade, and that those expectations have been disappointed, owing principally to the unexampled state of affairs ON THE CONTINENT OF EUROPE, and therefore pray that the Indian Trade may be thrown open.* The claims of the Dock Companies of London for the protection of the Legislature are surely as strong as those of the Bristol Dock Company, nay stronger, for the East India Dock Company constructed their Docks specifically for India Shipping; the Bristol Dock Company in consequence of an increase in their Trade: these Petitioners, unlike the rest of their Brethren, candidly admit that which must be evident to the unbiased mind of every individual, *that the unexampled state of affairs on the Continent of Europe is the sole cause of the stagnation of Trade.*

The Commissioners of Excise, it appears, state in their report already alluded to, *that the passage up the Bristol Channel furnishes great opportunities for landing goods clandestinely, especially for the last twenty miles, and in consequence of the late alterations, the Shipping lies afloat in the midst of that city, without any other security than the locking of the Hatchways and other Communications with the Cargo.*

THE MERCHANTS OF KINGSTON-UPON-HULL I shall next allude to; their petition contains arguments no doubt equally as convincing to your Lordship as the Petition from Bristol, being

nearly similar in point of doctrine, excepting that the *Town of Hull* is situated on a great estuary, the *Humber* communicating by Inland Navigation with the principal Manufacturing districts, and therefore affording greater opportunities for smuggling.

The DOCK COMPANY at KINGSTON-UPON-HULL, have also petitioned: their claims cannot be considered better founded than those of the Bristol Dock Company.

The Commissioners of Excise state in their report, that *the run to Hull from the Chunnel may perhaps be reckoned equivalent to the Navigation up the River Thames, and no Ships from the East Indies should be permitted to pass round the north of Scotland. There is great danger of smuggling within the Humber.*

The PETITION FROM PLYMOUTH is entirely barren of argument, and they rest their hopes upon the general assertion that the whole of His Majesty's subjects have a right to participate in the India Trade, and therefore pray that the same may be opened.

The PORTS OF DOVER AND PORTSMOUTH come next. It does not appear that those places have petitioned Parliament. Their gratitude to the Commissioners of the Excise for including them in so beneficial an extension ought to be sincere.

The Commissioners state, that *the Ships enter into Plymouth, Portsmouth and Dover, immediately from the Sea, and the passage is shorter than to London, but the security is also by Locks only and Tidesmen.*

The PETITION FROM THE LIVERPOOL MERCHANTS, contains as little argument as that from Plymouth. The Petition from the Corporation of Liverpool states, that *an ample field is now open for the investment of that capital which has hitherto been employed in other channels of Trade; and that whilst they lament the distressing suspension of Commerce at this juncture, they cannot but believe that the era is now arrived when relief may be granted.* These, my Lord, are the arguments of the Corporation.

The LIVERPOOL DOCK COMPANY state, that *by the enterprise of its inhabitants, it has raised itself from the situation of an humble fishing town to the distinguished rank and importance of the second port in the kingdom; that being heard by*

the Merchants at large two years ago, when the Trade was in great prosperity, they obtained leave to construct larger Docks for general purposes.

The Liverpool Dock Company admit that their town has been raised from the situation of a fishing town to the distinguished rank of the second port in the kingdom; *this has been effected entirely without the Indian Trade*; surely some check ought to be given to their ambition. I confess I am at a loss to understand upon what grounds that policy is founded which has for its object the destruction of the capital of a kingdom to benefit its out-ports: it is like drawing the blood from the heart to support the extremities.

The Commissioners of Excise are said to state in their report, *that the entrance into Liverpool from the West is not of great length, and for the most part is open*; BUT NOTHING CAN BE BETTER CALCULATED FOR SMUGGLING, NOTWITHSTANDING THE CARE OF TIDESMEN ON SHIP-BOARD AND THE VIGILANCE OF A NIGHTLY WATCH, THAN THE DOCKS AT THIS PORT—OPEN ON ALL SIDES AND SURROUNDED BY SHIPS, WAREHOUSES, PUBLIC HOUSES AND OTHER BUILDINGS.

Here then, my Lord, is a statement of the petitions from the only ports to which your revenue Commissioners consider it safe to extend the open trade; here is also a statement of the principal arguments made use of in those petitions, with the few observations I have been induced to make thereon; and the opinion of the Commissioners of Excise as to the facilities which these ports afford for smuggling.

It must naturally be supposed that His Majesty's Ministers will be guided by the opinions of those Commissioners who are especially appointed by His Majesty's Government to guard the revenue from any deterioration. The opinions of the Commissioners of Excise, already quoted, are in direct opposition to an extension of the East-India Trade to the out-ports: and I have been given to understand that the Commissioners of the Customs, in their report to the Lords of the Treasury, express their opinions in the most decided terms against such extension, as the same would be pregnant with danger to the Revenue, and with ruin to the individuals who might be induced to embark in an extended Trade.

I have now, my Lord, arrived at that part of the India question,

which must, in every point of view, be considered the most important. I have been led to consider the commercial concerns of the Company, as connected with this country in the abstract; but, my Lord, I shall now look at the question in the light in which it must be viewed when brought before Parliament, viz. that of a great Political question, involving the interests and happiness of thousands in this country, as connected with its commerce, but affecting the whole population of Great Britain, as connected with the preservation of our Constitution:—and when considered as relating to India, involving the happiness, indeed the very existence, of fifty millions of our fellow creatures! I confess the magnitude of the subject alarms me; because I see it possible that an ill-judged policy may be the cause of demolishing a magnificent structure which has existed for upwards of two centuries, supported by an honorable body, who have at all times waived personal considerations for the benefit of their country.

You, my Lord, in conjunction with His Majesty's Ministers, inform the Court of Directors, that you are willing to bring before Parliament a proposition for the renewal of the Company's Charter, provided the Company will give up their exclusive privileges of trade; or in other words, permit the trade to and from India to be opened. The Court agrees that the trade shall be opened, but that the same should be confined to the Port of London. This stipulation the Court has supported by arguments most conclusive.

These arguments appear, in your Lordship's opinion, to have been successfully rebutted by those more cogent ones urged by the Petitioners from the out-ports,² and upon these arguments your Lordship relies for the support of Parliament, in depriving the East-India Company of a privilege which they refuse to surrender in the unconditional manner demanded of them; because they consider that by so doing, they shall place themselves in that situation which will render it utterly impossible for them to fulfil the duties Commercial and Political, devolving upon them, in a manner satisfactory to themselves and beneficial to the country.

¹ The sum total necessary to carry on the concern of the Company, is £51,182,127. Vide Printed Papers, No. 1. p. 59.

² See pages 561 and 565.

The conduct of the Court of Directors in the negotiation, as far as an individual is capable of judging from the papers before the public, must be considered highly honorable. It is such as must retort upon those persons who hope to support the cause of the Petitioners, by imputing to the Directors interested motives for the line of conduct they have pursued, (*viz.* the preservation of their patronage,) the calumnious and unfounded assertion.

The Court of Directors frankly declares the well-grounded fears it entertains, that the affairs of India cannot be conducted with benefit to this country, if an open trade from the out-ports be permitted; as the same must lead to an unfettered intercourse with India, and not all the regulations which may be devised will prevent colonization, and the alienation of British India from this country will close the fatal project.

To strengthen the well grounded fears which are entertained respecting *Colonization*, I shall refer to the arguments of the favorite author of the open traders, Adam Smith, already alluded to in this letter: in following up his opinions on the baneful effects of Monopolies, he says, "That the spirit of exclusive companies is unfavorable to the growth of new colonies, and has probably been the cause of the little progress which has been made in colonization in India." Is there any man, my Lord, when adverting to America, can say that colonization is not to be dreaded? This doctrine *practically* followed, has lost you America! This doctrine rejected by the Directors of the East India Company, has preserved India to Great Britain!

It is on this broad principle that the Court of Directors and the Company stand forward, for the preservation of their exclusive privileges, which can alone enable them to avert such disastrous consequences. Does this conduct bear the mark of interested motives, my Lord? The Court of Directors, by acquiescing in the proposition of His Majesty's Ministers, would secure to themselves the patronage so much talked of, but the Court will not accept it in exchange for the interests of their Constituents and their Country.

The Country is told that it is ridiculous to fancy that the constitution of England can be affected by any change which may be made in the political or commercial situation of the East India

Company. My Lord, the constitution will be affected ; into whose hands will the Government of India, and the Patronage appertaining thereto devolve, if the Company be deprived of it ? Why, into the hands of the Minister of the day ; and that patronage, when engrossed by an individual, would fortify the Minister who could persuade the Parliament of this country to accede to such a measure, with a phalanx which will place him in a situation to bid defiance to his Prince and to the people of England.

The occurrences of 1783 bear ample proof that the country then felt that the Constitution would have been endangered had the minister succeeded in getting possession of the government of India and the patronage attached thereto. Is there less danger to be apprehended from such an attempt at the present moment ?

Mr. Pitt, on the 14th January, 1784, in proposing his Bill to Parliament, said, "*That in the Bill which he proposed to move for, he had governed himself by the ideas of the proprietors of India Stock, and by the sense of those men who were most habituated to the consideration of the subject.*"

On the 6th July, 1784, Mr. PITT said, "*government and commerce were the two great objects to be looked to. THE COMMERCE OF THE COMPANY BELONGED EXCLUSIVELY TO THEM. THE COMMERCE, THEREFORE, TO AND FROM INDIA, HE MEANT TO LEAVE WHERE IT OUGHT TO BE LEFT—IN THE HANDS OF THE COMPANY. It had, he remarked, been held, that commercial companies could not govern empires ; but that was a matter of speculation which general experience proved to be not true in practice, however universally admitted in theory. THE EAST INDIA COMPANY HAD CONDUCTED ITS COMMERCE AND GOVERNED VAST EMPIRES FOR MANY YEARS, AND IT WAS TO BE REMEMBERED THAT THE EAST INDIA COMPANY WAS NO NEW ESTABLISHMENT, IT RESTED ON CHARTERS AND ACTS OF PARLIAMENT ; THOSE CHARTERS OUGHT UNDOUBTEDLY TO BE REGARDED, AND AS FAR AS POSSIBLE THE RIGHTS EXERCISED AND ENJOYED UNDER THEM, OUGHT TO BE HELD SACRED.*"

Mr. Pitt, on the 11th March, 1793, expressed himself in the

following words:—“*I have no hesitation in saying, that when all the circumstances are fully before the House, I am confident that a Renewal of the Company's Charter will appear to be much for the interest of the country.*—It has been said that since the publication of the speech of my Right Honorable friend (Mr. Dundas) every body believes that the Charter will be removed; and I am glad to hear that such is the case, because it can only arise from a public conviction, that the renewal of the Charter, upon the terms and upon the regulations on which the East India Company have agreed to accept it, will be much for the interest of this country in every point of view.”

Mr. Pitt, on the 24th May, 1793, proceeded to examine the observations made by Mr. Fox upon the commercial and political arrangements in the bill. He (Mr. P.) had had recourse to the common place topic, that a free trade was preferable to a monopoly, insisting that the House ought not to forget this principle, unless very good reasons should be given for adopting a contrary one. *This speculation*, Mr. Pitt said, *had been repeated a thousand times by much less ingenious men than the Right Hon. member, and scarcely could have been expected to have been resorted to, as the force of it had been done away by his Right Hon. friend (Mr. Dundas) when he first opened the subject, bottoming his argument, not on vague speculation, but on inferences drawn from history and from authenticated accounts.* Here Mr. Pitt asked *whether the claims of the manufacturers had not been listened to and provided for, and whether the exclusive privilege of the Company had not been rendered subservient to the resources of the Empire?*

Lord Grenville in the House of Lords on the 3d June, 1793, said that if it were necessary for him to enter at large into any general detail on the subject of our possessions in India, or any speculative discussion with respect to the mode in which India ought to be governed, and in which the trade of that country ought to be carried on, it would open a very wide and extensive field indeed; but, in the present case, it did not appear to him that this was in any shape necessary, because he felt that the ground he had to go on was very much narrowed, by having a just and well-founded experience as a guide; a guide which was at all

times perhaps the best, but more particularly so under such circumstances as existed at present. *Nine years' experience had proved the benefit of the present system and there appeared therefore no just reason why it should be altered.* The present bill, of course, assumed for its principle the continuance of that system; but as ideas had been entertained by some, that in the hands of the East India Company, the trade to India was confined within narrower limits than would be the case were it open to be engaged in by the whole capital and the whole spirit of enterprise of this country; provisions were now, for the first time, introduced into the present bill, which would give an opportunity for trying the experiment, by allowing merchants and traders to adventure on their own bottom under certain NECESSARY regulations.

Sir Philip Francis, in April, 1793, said in the House of Commons: "With respect to the renewal of the Company's exclusive Charter to trade to India; I have already said, *that I do not object to it..... I very much question the possibility of increasing our exports to India to any material amount, I mean with a rational security of finding a profitable vent for them.* Except military stores, ammunition, and other implements of war, with which it is not your true policy to furnish the Indian princes, the manufactures of England can hardly be said to be saleable in India beyond the trifling amount necessary for the consumption of Europeans."

LORD MELVILLE, in the House of Commons, in April, 1793, stated, as his full conviction after mature consideration, that if the Indian Patronage should be vested and concentrated immediately in the Crown, the weight of it would be too great in the balance of our Government, and might prove dangerous to the Constitution.

Lord Melville, in his Letter to the Chairman of the East India Company, dated the 2d of April, 1800, says—"That the ostensible form of Government with all its consequent extent and detail of patronage, must remain as it is, I am persuaded will never be called in question by any but those who may be disposed to sacrifice the

! In this opinion Mr. Pitt perfectly agreed. See Debate 24th May, 1791.

freedom and security of our constitution to their own personal aggrandizement and ill-directed ambition. I remain equally satisfied as to the propriety of continuing a monopoly of the trade in the hands of the East India Company. Those who maintain the reverse, appear to me to be misled by general theory without attending to the peculiar circumstances of the trade they are speaking of.

"The great interest to be attended to, on the part of the Company, is, that no goods come from India that are not deposited in the Company's warehouses, and that the goods so imported are disposed of at the Company's Sales, agreeably to the rules prescribed for that purpose."

Lord MELVILLE, in his Letter to

dated the 21st March, 1801,

says, "The preservation of the monopoly of the East India Company is essentially requisite for the Security of every important interest connected with our Indian Empire: and so deeply am I impressed with the truth of this proposition, that I am prepared explicitly to declare, that although the first formation of an East India Company proceeded from purely Commercial considerations, the magnitude and importance to which the East India Company has progressively advanced, is now so interwoven with the Political interests of the Empire, as to create upon my mind a firm conviction *that the maintenance of the monopoly of the East India Company, is even more important to the political interests of the state, than it is to the commercial interests of the Company.*"

My Lord Castlereagh's opinion in the debate on the Indian Budget, 18th July, 1806, was as follows: "It seemed, however, unjust to describe the Company's commerce as carried on at a loss. To what precise extent it might be profitable, after providing a liberal dividend to the proprietors, might be a matter of more difficult calculation, and must, like all commercial results, be in its nature fluctuating; but, in reasoning upon this branch of the Company's affairs, the worthy Alderman, (Mr. Prinsep) must establish several preliminary facts, before he can expect to persuade Parliament that the commercial existence of the Company is to be considered merely on grounds of mercantile profit. He must be prepared to show that individuals would be as likely to carry on

steadily the commerce of India, under all the fluctuations to which such a trade is liable, where the outgoings are great, and the returns distant, as a great trading Corporation. He must be prepared to dispel the apprehensions which must be entertained with respect to the injurious influence on the prosperity of India, which may be the consequence of an unsteady and unequal demand for their produce, before he can expect to satisfy Parliament that an intercourse, perfectly unrestrained, is preferable to that qualified intercourse, partly free and partly restricted, which now prevails. If he assumes, that individuals, by using an inferior description of tonnage, could carry on the trade at less expense, and consequently at greater profit, he must be prepared to show, that this is not merely by throwing the difference of the expense on the public, by rendering numerous and expensive convoys requisite to protect their feeble vessels in time of war, whilst the Company's ships, with a comparatively slight aid from our navy, are competent to protect each other, and to set the enemy's ships of war, even when in considerable force, at defiance. He must be prepared to show, that such an establishment as that of the Company, could be kept up without the protection of a qualified monopoly; or that such a system is in itself unnecessary to the political existence of the company, and the management of large territorial revenues, when both in peace and in war funds must be transferred through the medium of commerce from India to Europe, and from Europe to India. He must also show, before he can establish that the interest of the manufacturer at home is interested in such a change, that individual speculators would be disposed to send out British manufactures, even at some loss, as the Company have frequently done, or that there is any other limit to the amount of this description of Export, on the part of the Company, than the utmost quantity the Indian market can take off, which they have not hitherto been able, with their most strenuous efforts and some sacrifices, to carry beyond £2,000,000 a-year. These, and many other important doubts must be solved, before any satisfactory or sound conclusion can be come to, on the great practical question (Private Trade), to which the worthy Alderman, somewhat out of time, had been solicitous to point the attention of the Committee."

The authorities here mentioned, my Lord, go directly to state

that the trade and government of India are interwoven, and ought not to be separated: and the select committee of the House of Commons on Indian Affairs, in July, 1812, reports as follows, viz.

The Committee, after declaring that they felt it a part of their duty to offer some account of the nature and history of the extensive establishments for the internal administration of India, trust that such an account will be acceptable to the House; not only as showing the importance and utility of the establishments themselves, to the welfare and order of the country, but as evincing the unremitting anxiety that has influenced the efforts of those to whom the government of our Indian possessions has been consigned, to establish a system of administration best calculated to promote the confidence, and conciliate the feelings of the native inhabitants, not less by a respect for their own institutions, than by the endeavour gradually to engraft upon them such improvements, as might shield, under the safeguard of equal laws, every class of the people from the oppressions of power, and communicate to them that sense of protection and assurance of justice, which is the efficient spring of all public prosperity and happiness."

Is it possible for opinions to be expressed more decidedly, and in language less ambiguous, than those here quoted? They are such opinions, my Lord, as I trust will bear the company out in the firm stand which they are obliged to make in defence of their liberties and interest as well as those of their country.

My Lord, you have a duty to perform of no common nature; you have to stem the torrent of popular clamor, which increases in proportion as its exorbitant demands are opposed; you have a duty to perform to your country, which is paramount to any other consideration. It is utterly impossible, my Lord, that any man deliberating calmly on the subject can form an erroneous opinion: it is not a temporary relief to his Majesty's Treasury that can justify an acquiescence in an ill-founded demand; common reason forbids us to renounce a positive benefit in favor of a theoretical advantage; so must a sense of duty command your Lordship, not to leave the interest of those who have a claim equally well-founded to the protection of the Legislature, and on whom the employment and subsistence of thousands, and the existence of millions depend, to the uncertain issue of SPECULATION and EXPERIMENT.

The very existence of the Company at the present moment, after struggling through two centuries of difficulty and embarrassment, must excite wonder; and when we contemplate the revolutions in India, which have obliged the Company to act as a Warlike as well as a Commercial Body, and which revolutions have thrown into their hands such a large portion of territory, as places them at least on a level in respect of the number and opulence of the people living under their government, with the greatest Sovereigns of Asia, we cannot refrain from expressing our admiration of the councils and abilities which have directed the Company through such struggles; and we must feel disposed to rest with perfect security the continuance of such powers in that body which has already exercised them with so much benefit to Great Britain, and to the natives of India who are freed from the calamities of war, by the government of the Company, and exempt from the extortions and perpetual convulsions which they suffered under their former Mahomedan governments.

The character of the natives of India requires the most delicate attention, and no feature in that character is so strongly marked as their attachment to their established opinions. It has been truly observed by a venerable governor of India, that "the touch of chance, or the breath of opinion might dissolve the British power in India."

In the event of the annihilation of the Company's power, that respect which the natives at present entertain towards the Company would be lost. It could not be explained to them, nor could they comprehend how a conqueror could experience the vicissitude of being reduced to nothing, by a mandate from a foreign land: they would conceive the power which had sent such a mandate equally fleeting and dissolving in its character.

If I were at a loss for an apology for thus addressing your Lordship, I know no Nobleman to whom I could appeal with a greater hope of forgiveness for the liberty I have taken, more particularly when I assure your Lordship that I have been actuated solely by the view of benefiting my country.

FABIUS.

London, 9th February, 1813.

THE

Letters of Gracchus

ON THE

EAST INDIA QUESTION.

ADVERTISEMENT.

THE following Letters appeared in the *Morning Post*, at the dates which are annexed to them. The impartial Reader will find in them a strong determination to uphold the public rights of the Country, with respect to the India Trade; but he will not discover any evidence of a desire to lower the just, and well-earned honors, of the East India Company, nor any symptom of a disposition hostile to their fair pretensions.

LETTERS OF GRACCHUS.

LETTER I.

GENERAL VIEW OF THE EAST INDIA QUESTION.

Tuesday, January 12, 1813.

THE CRISIS, at which the affairs of the East India Company are now arrived, is one which involves the most important interests of the British Empire. It would be unnecessary to prove a proposition which is so universally acknowledged and felt. It has happened however, that, in our approaches towards this crisis, the public understanding has been but little addressed upon the subject; so that the appeal which is now suddenly made to their passions and imaginations, finds them unprepared with that knowledge of the true circumstances of the case, which can alone enable them to govern those passions, and control those imaginations. Let us then endeavour to recover the time which has been lost, by taking a deliberate view of the circumstances which produce this crisis.

The crisis, is the proximity of the term, which may conclude the East India Company's rights, to the exclusive trade with India and China, and to the powers of government now exercised by them over the Indian Empire.

The rights of the East India Company are two-fold; and have long been distinguished as their *permanent* rights, and their *temporary* rights. Those rights are derived to them from distinct Charters, granted to them at different times by Parliament. By the former, they were created a *perpetual* Corporate Society of Merchants, trading to India. By the latter, they obtained, for a *limited period of time*, the exclusive right of trading with India and China, and of executing the powers of government over those parts of the Indian territory, which were acquired either by conquest or by negotiation. The Charter conveying the latter limited rights, is that which will expire in the course of the ensuing year 1814; on the expiration of which, the exclusive trade to the East will be again open to the British population at large, and the powers of the India Government will lapse in course to the Supreme Government of the British Empire, to be provided for as Parliament in its wisdom may judge it advisable to determine.

The renewal of an *expired* privilege cannot be pursued upon a ground of *right*. The exclusive Charter of the Company is a *patent*, and their patent, like every other patent, is limited as to its *duration*. But though the patentee cannot allege a ground of right for the renewal of his patent, he may show such strong pretensions, such good claims in equity, such weighty reasons of expediency, for its renewal, as may ensure its attainment. Such are the claims and the pretensions of the East India Company to a renewal of their Charter; and, as such, they have been promptly and cheerfully received, both by the Government and the country at large.

But the progress of society, during a long course of years, is of a nature to produce a considerable alteration in the general state of things; the state of things must, therefore, naturally be called into consideration, upon the expiration of the term of years which determines the exclusive Charter of the East India Company; in order to inquire, whether that Charter should be renewed precisely in the same terms, and with the same conditions, as before; or whether the actual state of public affairs de-

¹ The rights and pretensions of the Company are fully considered in the Tenth Letter.

mands, that some alteration, some modification, of terms and conditions, should be introduced into the Charter or System which is to succeed.

The arduous task of this investigation must necessarily fall upon those persons, who chance to be in the administration of the country, at the latest period to which the arrangements for the renewal of the Charter can be protracted; and it is hardly possible to imagine a more difficult and perplexing position, for any administration. Those persons, if they have any regard for the duties which they owe to the public, will consider themselves as standing *between two interests*; the interest of those who are about to lose an exclusive right, and the interest of those who are about to acquire an open and a common one. They will be disposed to listen, patiently and impartially, to the pretensions of both parties; of those who pray for the renewal of an exclusive privilege, and of those who pray that they may not be again wholly excluded from the right which has reverted. And although they may amply allow the preference which is due to the former petitioners, yet they will endeavour to ascertain, whether the latter may not, with safety to the public interest, receive some enlargement of the benefits, which the opportunity opens to them, and from which they have been so long excluded.

While they thus look alternately to each of these interests, and are engaged in striving to establish a reconciliation between the two, it will be neither equitable nor liberal for one of the interested parties to throw out a doubt to the public, whether they do this "from a consciousness of strength, and a desire of increasing their own power and influence, or from a sense of weakness and a wish to strengthen themselves by the adoption of popular measures."¹ And the author of the doubt may find himself at length obliged to determine it, by an awkward confession, that Ministers do not do it "with any view of augmenting their own patronage and power."²

It is thus that the ministers of the crown have conducted them-

¹ Considerations on the Danger of laying open the Trade with India and China, p. 13.

² Ibid. p. 18.

selves, in the embarrassing crisis into which they have fallen. Fully sensible of the just and honorable pretensions which the East India Company have established in the course of their long, important, and distinguished career, they have consented to recommend to Parliament, to leave the whole system of Indian Government and Revenue to the Company, under the provisions of the Act of 1793; together with the exclusive trade to China, as they have hitherto possessed them; but, at the same time, considering the present state of the world, and its calamitous effects upon the commercial interests in general, they are of opinion, that some participation in the Indian trade, thus reverting, might possibly be conceded, under due regulations, to British merchants not belonging to the East India Company; which would not impair the interests either of the Public or of the Company.

In this moderate opinion, they are fully justified, by the consent of the Company, to admit the merchants of the out-ports to a share in the Indian trade. And thus far, all is amicable. But the out-port merchants having represented to Government, that the condition, hitherto annexed to a licensed import trade,—of bringing back their Indian cargoes to the port of London, and of disposing of them solely in the Company's sales, in Leadenhall-street,—would defeat the object of the concession; and that the delay, embarrassment, and perplexity, which such an arrangement would create, would destroy the simple plan of their venture; and having therefore desired, that they might be empowered to return with their cargoes to the ports from whence they originally sailed, and to which all their interests are confined; Government being convinced of the justice of the representation, have proposed that the import trade may be yielded to the out-ports, under proper regulations; as well as the export-trade. To this demand, the Court of Directors peremptorily refuse their consent; and upon this *only* point the parties are now at issue. This question alone, retards the final arrangements for the renewal of their Charter.

Yet it is this point, which one of the parties interested affirms to be, “a question of the last importance to the safety of the British Empire in India, and of the British Constitution at home;” and therefore undertakes to resist it, with all the deter-

mination which the importance of so great a stake would naturally inspire. But, when we compare the real measure in question with the menacing character which is thus attempted to be attached to it, we at once perceive something so extravagantly hyperbolical, something so disproportionate, that it at once fixes the judgment; and forces upon it a suspicion, that there is more of policy and design, than of truth and sincerity in the assertion. That objections to the measure might arise, capable of distinct statement and exposition, is a thing conceivable; and these being stated, it would be a subject for consideration, how far they were removable. But to assert, in a round period, that the safety of the empire in Europe and Asia is fundamentally affected in the requisition, that a ship proceeding from Liverpool or Bristol to India, might return from India to Liverpool or Bristol, instead of to the port of London, is calculated rather to shake, than to establish, confidence in those who make the assertion. Yet this is the question which the country is now called upon to consider, as one tending to convulse the British Constitution. Surely, if the foundations of the empire in both hemispheres have nothing more to threaten them, than whether the out-port shipping shall carry their cargoes home to their respective ports, or to repair to the dock-yards in the port of London, the most timid politician may dismiss his alarms and resume his confidence. When the East India Company, by conceding a regulated Export Trade, have at once demonstrated the absurdity of all the predictions which foretold, in that Trade, the overthrow of the Indian Empire; we may confidently believe, that the Import Trade will prove as little destructive, and that its danger will be altogether as chimerical, as the former.

Whether the Court of Directors endeavour to fix that menacing character upon the proposed Import Trade, as a ban against any further requisition, is a question which will naturally occur to any dispassionate person, who is not immediately and personally interested in the conditions of the Charter; and he will be strongly inclined to the affirmative in that question, when he finds, that the reason which they have alleged for their resistance, is their apprehension of the increased activity which the practice of smuggling would acquire, from the free return of

the out-port ships from India to their respective ports. It is not a little extraordinary, that they should so strenuously urge this argument against those persons, who, while they propose the measure, are themselves responsible for the good management and protection of the revenue; and who must therefore be supposed to feel the necessity of providing means and regulations, adapted to the measure which they propose. The ministers of the crown have not failed to inform the Court of Directors, that, in consequence of the communications which they have had with the commissioners of the customs and excise upon the subject, they find that the Directors have greatly over-rated the danger which they profess to entertain; and they acquaint them, that new regulations will be provided to meet the new occasion; and that the out-port ships and cargoes will be subject to forfeiture upon the discovery of any illicit articles on board. Yet the Court of Directors still persist in declaring, that the hazard of *smuggling* is the reason why they will not grant to the out-ports an import trade; and this, through a fear of compromising "the safety of the British empire in India, and the British constitution at home."

A calm and temperate observer, who scrupulously weighs the force and merits of this reasoning, will naturally be forced into so much scepticism as to doubt, whether there may not be some other reasons, besides the safety of the empire, which may induce the East India Company to stand so firm for the condition of bringing all the import Indian trade into the Port of London? Whether there may not be some reasons, of a narrower sphere than those of the interests of the empire? In searching for such reasons, it will occur to him, that the Port of London is the seat of the Company's immediate and separate interests; and he will shrewdly suspect, that those interests are the *real*, while those of the empire are made the *ostensible*, motive for so vigorous a resistance. When he reflects, that it is proposed to leave the Company in the undisturbed possession of all the power of Government over the Indian Empire, which they have hitherto enjoyed; that they are to remain possessed, as heretofore, of the exclusive trade to China, from whence four-fifths of their commercial profit is derived; that they themselves have virtually ad-

mitted the falsity of the theoretical mischiefs, foretold as the certain results of an out-port trade, by having agreed to concede that trade to the extent required by Government; that they equally allow an import trade for the merchants of the out-ports; but make their resistance upon the single point, that the import trade should be all brought together into their own warehouses, and should be disposed of in their own sales in Leadenhall-street; when he combines all these considerations, he will think that he plainly discovers, that the interests of the empire at large are not quite so much involved in the question as they proclaim; and that, if any interests are more pressingly calculated than others, it must be their own, and not the Public's. If their interests are to be affected by the measure, let them fairly state it, and show the extent; but let them not endeavour to defend them covertly, under an artful and factious allegation of *the ruin of the British Constitution*. And if they really do apprehend that the constitution would be endangered, let them not hazard such consequences by their own proceedings. Let them not come forward as advocates for the preservation of the empire, if their rhetoric is to sink into a threat, of "*shutting up the great shop of the India House*."

It may be well to call to the recollection of the East India Company, that they owe their present state to an assertion of those very rights to open trade which have now been brought forward; for, when the first, or London East India Company had experienced certain disappointments and failures, various adventurers came forward with claims similar to those which have been alleged by the merchants of the present day, and obtained an incorporation, to the prejudice of the old Company; and although the old, or London East India Company, afterwards effected a union with the new, or English East India Company, and with them gave origin to the present Company, yet the UNITED EAST INDIA COMPANY should not forget, how much the activity of the Indian trade was stimulated by the assertion of the rights of their predecessors, to participate in the trade which had been granted exclusively to a former Company.

GRACCHUS.

LETTER II.

Wednesday, January 13, 1813.

It is a distinguishing character appertaining to Britons, to express forcibly their feelings, whenever they think they discover any disposition to encroach upon their rights. It is not therefore to be wondered at, that the communication of the papers, on the subject of the East India Company's Charter, which was made by the Directors to the Proprietors, on the 5th instant, should have produced the effect which was then manifested; of an almost unanimous disposition, to support the Directors in their resistance of a measure, which, at the time, was regarded as an invasion, on the part of the Government, of the established rights of the East India Company.

But now that the momentary ebullition of that spirit has had time to subside, and to give place to cool and sober reflection, it may not be unacceptable to the Proprietors at large to look calmly and attentively into the subject; and to examine its bearings on their own substantial interests.

It must be manifest to every man, who will only refer to the accounts which have been published in the reports of the select committee of the House of Commons, that, from the magnitude of the Company's debt, it would be impossible to calculate the time at which the proprietors could contemplate any augmentation of their present dividends of $10\frac{1}{2}$ per cent.; even though the Charter, instead of being within one year of its expiration, had an extended period of twenty years to operate.

It is equally manifest, from the correspondence of the Court of Directors with Government, that, in agreeing to the proposition of opening the export trade to the out-ports of the United Kingdom, they were free from any apprehension, that the continuance

of the present dividend could be endangered by their conceding that point. And, therefore, although the proprietors were precluded from ~~the~~ ^{any} reasonable expectation of ~~an~~ ^{an} increase to their dividends, they were perfectly warranted to consider the continuance of that which they now receive, as free from any hazard, in consequence of the extension proposed to be granted to the export-trade.

Whether they may remain in the same confidence, under all existing circumstances, is a question which the proprietors are now earnestly solicited to examine. The point at issue (if I may apply that expression to a case, in which the Company are upon the disadvantageous ground of petitioning for the renewal of a privilege, now about to expire) is, whether the ships which shall be permitted to clear out from the out-ports of the United Kingdom, ought to be allowed to return to any given description of those ports, or whether they should all be compelled to enter at the Port of London. And upon *this point* is made to hinge a question, which may affect (not the *British Empire and Constitution*, but) the main interest of the proprietors, namely, *their dividends*. For no man can be so inconsiderately sanguine as to suppose, that the Company, under the present pressure of their pecuniary embarrassments, (whatever may have been the causes from whence they have arisen;) embarrassments proceeding from a debt, in India and in England, of *more than forty-two millions*; nearly four millions of which are in accepted bills on England, which will shortly become due, and for the payment of which there are not funds at the India House; no man can be so inconsiderately sanguine as, to suppose, that the dividend may not become a little precarious, under such circumstances. It must be evident to the most superficial observer, that the credit of the Company with the public can only be sustained by the prompt and liberal aid of Parliament; and it will hardly be maintained, that it is a *propitious* mode of ~~soliciting~~ ^{soliciting} that aid, to connect with the solicitation an avowed determination to oppose a measure, which Government represent it to be their duty to recommend to Parliament, for the general benefit of the community; a measure, founded on, and growing out of, the principle of the Charter of 1793, which first opened the private trade between India and this country; the

provisions respecting which trade have been progressively extended at subsequent periods, and of which trade the public will now call for a further enlargement and participation, as a ~~just~~ necessary qualification to the proposed renewal of the Company's Charter.

The City of London, indeed, is ~~now an~~ exception, and apparently a very weighty one, to this general call; but it will lose much of that weight with the public, and must fall into the scale of an interested party, when it is recollected, that so long as the question between the Company and the public was, whether the commerce with India should remain a strict monopoly, or whether a participation in it should be granted to individuals, under the restriction of importing to London, the commercial interest of the metropolis was powerfully incited against the Company; and that, to that great commercial interest, supported by the weight of Mr. Dundas's opinion, and to the more enlarged view which Lord Wellesley took of the subject, the extension that has hitherto been given to the private trade with India is to be attributed. The experience of twelve years has now proved, that both India and the parent state have greatly benefited by that extension; and it has followed, as a necessary consequence of that experience, that the active and intelligent merchants of the other large ports of the United Kingdom, have urged their fair pretensions, to be admitted to a share in the profits of that widely diffused trade; by sending their merchandise from their own ports, and by receiving the returning cargoes into their own warehouses, in those ports.

A reference to the printed papers (as has already been signified) will show, that the Court of Directors were prevailed upon to concede *the first* of those points, but that they have been immovable with respect to *the second*; although their own commercial knowledge must have made it evident to them, that the concession of the first, that is, a *free export*, would be nugatory, unless supported by the benefit arising from the *freedom of import*; which is not only in the proportion of four to one in amount to the export, but is requisite to give that unity to the concern, without which great commercial establishments cannot be kept up.

Such is the state of the question, or, as it has been called, by some strange perversion of ideas, the *negotiation*, between the Company, as applicants for a renewal of their Charter which is about to expire, and the Government, through whose aid it is

to be solicited, or at least, without whose concurrence it is certainly very questionable, whether they would be able to obtain it. These are the circumstances, under which the affairs of the East India Company must necessarily, and speedily, be brought forward, for the consideration of Parliament. Can it, then, be considered an exaggerated view of the hazards of such a situation, to suppose, that some guardian of the public purse may deem it requisite to inquire, whether the application for pecuniary aid from Parliament ought not to be preceded by a substantial proof, not of concession, for they have in fact nothing to concede, but of something like accommodation on the part of the proprietors? And in that event, might it not be questioned, whether, since the dividend of 10 per cent. was sanctioned upon an assumption, that the revenue of the Company yielded a surplus of upwards of a million; now, when instead of a surplus, a deficit is admitted to exist, the dividend ought not to be reduced, not merely to the standard from which it had been raised under the supposed prosperous state of the Company's affairs, but to a standard to be regulated by the amount of the ascertained profits upon their own trade, under whatever circumstances it may hereafter be conducted?

It is not meant to insinuate, that any condition of the kind alluded to is likely to be imposed, in granting the relief so pressingly required by the present exigencies of the Company; but if a necessity for the winding up of their affairs, as an exclusive Company, should arrive, and if their own resources, with the profits they may derive from their commerce as a corporate body, should not be adequate to the payment of a dividend of 10½ per cent.; could it reasonably be expected, that Parliament would, in *all future times*, extend its liberality towards the proprietors of India Stock, to the extent of securing to them a continuance of their present dividend?

It is to be feared, that those who may have calculated upon such a result, have taken a false measure of their prospective situation; and it is on account of this apprehension, that it appears highly important to call the attention of the proprietors to the care of their own substantial interest in the dividend; an interest, which to them is, and must be paramount.

GRACCHUS.

LETTER III.

Thursday, January, 14, 1813.

It is at all times an object equally interesting and instructive, to trace the origin of laws and institutions, and to follow them in the progress of their operation; but this inquiry becomes more powerfully attractive, when the pursuit is stimulated by an anxiety to defend a supposed right, or to acquire an extension of advantages which are already possessed.

Such an investigation appearing to be a necessary sequel of the subject treated of in a former communication, let us now take a succinct view of those provisions of the Act of 1793, by which the East India Company, upon the last renewal of their Charter for a fixed time, were called upon to relax from the exclusive restrictions of the monopoly which they had so long enjoyed. Taking that Act as the source and origin from whence the present India question arises, let us briefly follow the subject in its progress, down to the propositions that are now before the public.

It is necessary to premise, that the Company had, from an early period of their commerce, granted as a favour and indulgence to the captains and officers of their ships, permission to fill a regular portion of tonnage with certain prescribed articles, upon their private account, subject to the commission; that those privileged articles should be lodged in the warehouses of the Company, that they should be exposed by them at their sales, and that they should pay from 7 to 5 per cent. to cover the charge of commission and merchandise.

The Act of 1793, relieved the trade carried on under this indulgence, by reducing the rates of charge to 3 per cent.; which was established as the rate, at which the more enlarged trade, for the first time allowed by that Act to private merchants unconnected with the Company, should pay to the Company; which

trade was then limited to 3000 tons, the shipping for which was to be provided by the Company, who were to be paid freight for such tonnage, and were to have the same control over the goods which might be imported, as they already exercised over the trade of their captains and officers.

— It was soon found, that the conditions, under which this trade was opened, changed its operations, so as to render the privilege of little value. The residents in India, for whose benefit it was professed to have been principally intended, presented memorials upon the subject to the Governments abroad; and the merchants of London represented to the authorities in England, the necessity of an enlargement of the principle, as well as a correction of the regulations. It is not necessary to go into any detail of the reasons upon which those applications were supported; because Mr. Dundas, who then presided over the affairs of India, and who had introduced and carried through Parliament the Bill of 1793, did in the most explicit terms inform the Court of Directors, in his letter of the 2d April, 1800, that “he should be uncandid, if he did not fairly acknowledge, that experience had proved it to be inadequate to the purposes for which it was intended—and that therefore he was clear, that the clause in the Act ought to be repealed, and in place thereof a power be given to the Governments abroad, to allow the British subjects, resident in India, to bring home their funds to Britain on the shipping of the country;” that is to say, on ships built in India. This letter, of the President of the Board of Control, was referred by the Court of Directors to a special committee of their body; who, in a very elaborate Report, dated 27th Jan. 1801, that is to say, after the deliberation of eight months, declared that it was impossible for them to acquiesce in the proposition then made by Mr. Dundas. They supported their opposition by a variety of arguments, from which the following short passage need alone be selected:—“The proposals which have been brought forward by certain descriptions of men, both in India and in England, for the admission of their ships into the trade and navigation between India and Europe, proposals which extend to the establishment of a regular and systematic privilege in favor of such ships, appear, when maturely weighed, and followed into

all their operations, to involve principles and effects dangerous to the interests both of the Company and of the nation; that the adoption of those principles would immediately and essentially affect both the system of policy which the Legislature has established for maintaining the connexion and communication between this country and British India, and the chartered privileges of the East India Company. And the introduction of any practice of this nature, would tend to widen gradually, and indefinitely, the channel of intercourse between India and Britain; to multiply the relations between the two countries; and to pour Europeans of the lower sort into India, and Indian sailors into this country; to lessen, by both these means, the respect for the European character; to disturb and shake our government there; and, in a word, to lead progressively but surely to colonization."

The language employed by the Court of Directors at the present day, in opposition to the proposition for allowing private ships returning from India to import to the places from whence they had sailed upon their outward voyage, is feeble and languid; in comparison with the passage which has been just now recited, from the Report of their special committee, made upwards of twelve years ago, upon the proposition then submitted by Mr. Dundas. That Minister, in his reply of the 21st March, 1801, to the Court of Directors, observed, *I have reviewed my own opinions with the most jealous attention, and I have weighed, with the most anxious care, the arguments of those who suppose that the system which I have recommended, is likely to produce any inconvenience or danger to the rights, privileges, and exclusive interests of the East India Company: but it is my misfortune to view the subject in an opposite light. If any thing can endanger that Monopoly, it is AN UNNECESSARY ADHERENCE TO POINTS NOT ESSENTIAL TO ITS EXISTENCE.*" Mr. Dundas then adverted to a letter of the 30th September, recently received from the Governor-General, Marquis Wellesley, which, he said, "had with clearness and precision ably detailed and demonstrated the grounds of those opinions."

But the judgment and reasoning of Mr. Dundas, elucidated by the arguments of Marquis Wellesley, (which were founded on the knowledge of what, at the time, was passing under the eye

of the Governor-General,) had not influence upon the Court of Directors, sufficient to make them adopt the proposition of the President of the Board of Control; and still less, the enlargement of that proposition, as suggested by Lord Wellesley; who represented, "the great advantages that would result to the Sovereign State, by encouraging the shipping and exportation of India; and, that if the capital of the merchants in India, should not supply funds sufficient for the conduct of the whole private export trade from India to Europe, no dangerous consequences could result from applying, to this branch of commerce, capital drawn directly from the British empire in Europe:" thereby taking that trade from foreign nations, whose participation in it was become "*alarmingly increasing*."

These distinct and concurring opinions, of the President of the Board of Control and the Governor-General, could not prevail upon the Court of Directors to "alter the opinion they had delivered." They accordingly drew up paragraphs, to be sent to the Governments in India, conveying their *final resolutions and instructions*.—"The British residents in India," they said, "aided by those who take up their cause here (*viz.* the King's Ministers and Merchants of London), desire to send their own ships to Britain, with private merchandise; and the principle of employing British capital in this trade, is also contended for. This trade, although it might for a time be carried on through the existing forms of the Company, would at length supersede them; the British commerce with India, instead of being, as it is now, a *regulated monopoly*, would deserve, more properly, the character of a regulated free trade; a title, which, it is to be feared, would not suit it long."

Such is the substance of the paragraphs which the Directors had prepared, upon the propositions we have been considering; although both the one and the other of those propositions explicitly provided, "that all the private trade with India, export as well as import, should be confined to the port of London." The Board of Control, though no longer presided at by Mr. Dundas, interposed its authority; and on the 2d June, 1801, the Directors were enjoined not to send those paragraphs to India.

The language of the Court of Directors in 1813, upon the

question of the import trade, is, as has been already affirmed, feeble and languid in comparison with that which the same body employed in 1800 and 1801, with regard to the admission of India-built ships in the carrying trade between Britain and India; but Indian-built ships have, from that time to the present, been employed in that trade, and none of the alarming consequences, which the Directors had predicted, have resulted from that practice.

May it not, therefore, be reasonably assumed, that the alarm under which they now profess themselves to be, would prove to be equally unfounded; that the direful influence upon the constitution and empire, which, the Directors tell us, is to be apprehended, from any change in the existing system that shall admit private ships returning from India to import at the places whence they had cleared out, would be found to be as little entitled to serious consideration; and that neither the public revenue, nor the immediate interests of the Company, would be endangered by an experiment which the Government and the Company would be equally bound to watch; and which Parliament could at all times control, and if necessary, absolutely bring to a termination?

GRACCHUS.

LETTER IV.

Saturday, Jan. 16, 1813.

HAVING hitherto taken a view of those parts of the India Question, which more immediately relate to the commercial interests of this country, and to the Proprietors of East India

Stock; let us now advert to the deportment of the Directors towards the Ministers of the Crown, in their last communication made to the Court of Proprietors.

It appears, from the printed papers, that as long back as the month of April, the President of the Board of Control put the Court of Directors in full possession of the *final opinion* of his Majesty's ministers; concerning the 'privileges of trade which, they conceived, it would be their duty to submit to Parliament, as the basis of a Charter. Early in the month of December, a deputation from the Court of Directors appears to have been admitted, by special appointment, to a conference; in which it is known to every clerk and messenger about the offices, as well as to every member of that deputation, that the three Secretaries of State, the First Lord of the Treasury, and the Chancellor of the Exchequer, attended. And it is equally notorious, that two subsequent meetings were held, between the same parties. We are warranted to infer, from the letter of Lord Buckinghamshire, that the discussions which took place at those several conferences, were declared to be open and unreserved; with a view that the Members of Government, and the Members of the Deputation, might freely, and without restraint of form, deliver their reasons for the opinions which they respectively held.

The impression which the Court of Directors received, from the conduct of the Ministers of the Crown, in those conferences, is manifested in the letter from the Chairman and Deputy Chairman to the President of the Board of Control, of the 30th December, in which "they return sincere acknowledgments for the attention with which their representations had been listened to, in the various interviews with which they had been honored by his Lordship, and His Majesty's Ministers, who attended."

In conferences of this nature, and between parties thus relatively circumstanced, all that was to be expected from the Ministers of the Crown was, that they should listen with attention to the representations made to them, and should reply to those representations, so as to command the acknowledgment of the inferior party. If, in the issue, (to use the words of Mr. Dundas to the same authorities in 1801,) "after having reviewed their opinions with the most jealous attention, and after having weighed, with

the most anxious care, the arguments brought forward was still their misfortune to view the subject in an opposite light to that which presented itself to the judgment of the Directors; it was not to be expected, that they should surrender their own judgment to that of the Directors, who stood in the anomalous character of defendants and judges in their own cause.

At the time that these conferences were terminated, the Ministers appear to have entertained an expectation, that the subject would not be farther agitated, until an official communication should be made upon it from Government. The Court of Directors, however, met on the 18th December, and entered something very like a protest, by anticipation, against the measure, which they knew, (from what appears to have passed at the conferences,) would be the subject of that official communication; and they transmitted it to the India Board. By the irregularity of this proceeding; which bore upon the face of it the appearance of a design, either of intimidating Government from coming to the final decision which they had signified, or of creating a bar against future discussion; they precluded Government from going into any detail of argument, and consequently, the reply of the President of the Board of Control appears to have been principally intended, to convey officially to the Court of Directors that result, which the Members of the Deputation were already in possession of; namely, "those conditions upon which alone, consistently with their public duty, the King's Servants could submit a proposition to Parliament for the renewal of the Charter."

To this official communication, the chairman and deputy chairman of the East India Company sent a reply, wherein they offer some explanation of the irregularity; but, in their opposition to the ultimate determination of Government, they call upon the King's confidential servants, to impart to them all the reasons which had determined them to think, that "the privilege of Eastern commerce should be extended to British merchants;" and also, the specific regulations which they may propose to adopt, for giving additional security to the revenue against smuggling.

The President of the Board of Control, thus called upon to

step out of his sphere, or to admit the Court of Directors to *Cabinet discussions*," was constrained to acquaint them, that "the duty of Ministers had been performed, by communicating to the Company the conditions on which they were disposed to submit the business to Parliament;" at the same time informing them, that they would find most of the reasons, which had determined the judgment of Ministers to yield to the representations of the out-port merchants, stated "in the petitions presented by those merchants to the Houses of Parliament." And he finally referred them, with confidence, to the "justice and wisdom of Parliament, for obtaining a due regard to their interests."

If the Court of Directors did not entertain feelings and views very different from those of the community at large, in consequence of that peculiar position which renders them *defendants, and judges, in their own cause*, they could not fail to contemplate with applause, the temper, patience, and regard to public engagements, which mark the whole proceedings of Government on this arduous occasion. But, being at one and the same moment, petitioners and arbitrators, and having their judgments biassed under those clashing characters, they have not always kept themselves within the capacity, in which alone they can consistently treat with the Government of the country. In their communications with the servants of the crown, respecting the renewal of their Charter, all that they are authorised to pretend to, is to have a distinct knowledge of the conditions, on which the Government think they shall be justified in the sight of the country, in proposing to Parliament the renewal of their Charter; and, in the course of obtaining this information, they have experienced the utmost consideration, and have received the most ample and unreserved communications from his Majesty's confidential servants; who have given their attention to every argument urged by those who appeared as representatives of the Court of Directors, and have put in possession of all the grounds upon which they differ from their opinion. After having done this, they have discharged their highly responsible duty to the Public; and if "*they have the misfortune to view the subject in an opposite light*," the Company's records will show them, that this is not the first time, a radical difference of opinion had subsisted, concerning their

pretensions, between the King's Ministers and the Court of Directors.

Such being the true state of the case, it becomes a subject of grave inquiry, why the Directors, in the court of Proprietors held at the India House on the fifth instant, took no step whatever for moderating the spirit which was then shown; or for rectifying the false impressions which were there testified, respecting the deportment of His Majesty's Ministers. It does not appear, that any one of the Directors who were parties in those various conferences, in which they acknowledge to the President of the Board of Control that they experienced so much attention, took any forward step to set right the misrepresentations which were delivered; or to repel the charges, implied or declared, of contempt, neglect, encroachment, &c. which were so freely imputed to the servants of the crown. But they left the spirit which had improperly been excited, to act by the impulse of an erroneous impression; omitting to render to the government that justice, which the frankness of their proceedings strongly called for.

A review of the debate at the India House,—with the Directors, either silently withholding what they were enabled to impart in justification of the government, or by the rhetoric of some of them tending to blow wider the flames of discord,—would almost authorize a suspicion, that the Directors were not displeased at the fever which their silence nourished. It is therefore earnestly to be hoped, for the honor of the East India Company, and more especially for the interest of the Proprietors, that some Director, or other individual, may, at the next General Court, strive to efface the memory of the last; who may call upon the deputation, to render to the Ministers of the Crown whatever justice is due to them, for their conduct in the late discussions; and who may recommend a revision of the statement, in which they represent to those Ministers, that the terms on which Government have offered to the Company a charter, are such as may “*leave their dividend unprovided for,*” and “*create a necessity for their going to Parliament!*” For, unless they have brought themselves to a state to suppose, that Ministers and the Public have lost all intelligence, they must know, that both Ministers and the Public are well aware, that they are actually under a necessity of going to Parliament for aid, as soon as Parliament

shall be asse libled; and that, at the present moment, *their dividend* may, in strictness, be considered as *unprovided for*.

GRACCHUS.

LETTER V.

Tuesday, January 19, 1813.

THE writers, who have recently undertaken to defend and justify the opposition of the Court of Directors to any extension of the Import Trade from India to the out-ports of the kingdom, have laid a peculiar stress upon an opinion conveyed in that part of Mr. Dundas's letter of the second of April, 1800, in which that Minister was considering "the *agents* to be employed at home; to manage the private trade of individuals from India, and to take care of their interests in the cargoes of the returning ships." He states his opinion, that "there is no use of any interference by the Company; that the great interest to be attended to on *the part of the Company* is, that no goods come from India that are not deposited in the Company's warehouses; and that the goods, so imported, be exposed at the Company's sales, agreeably to the rules prescribed for that purpose."

In taking ground upon any principle, it is necessary to ascertain whether it applies to the case in point. That it was a great interest to the East India Company to watch and control the trade carrying on under their own licenses, is obvious; and this the Company could not effectually do, unless that Trade, on its return from India, was brought under their own eye, and collected within the sphere of their own control; which is confined to the Port of London. But the case, to which this argument is now applied by the advocates for the Company, is so essentially deficient, that the principles appear to be wholly inapplicable. In this *new case*, the extended trade would be carried on, not under *the Company's licenses*, but under *the provision of Parliament*; and the protection and control of that trade would become the care, not of the Company, but of

the executive government. Here then the determination of that trade would be governed, not by the separate interest of the Company (which alone came within the scope of Mr. Dundas's argument), but by the combined interests of the Company and the public at large. To this *combined interest*, Mr. Dundas's argument was *not* directed; and it is a fallacy in reasoning, to apply a partial argument to a general case.

But, let us grant what these advocates assume; that the opinion here delivered by Mr. Dundas, does really apply to the case in question. May not that have happened at the present day, which actually did happen with regard to the regulations of the Charter of 1793? Might not new light be thrown upon a subject in 1818, which was supposed to have been thoroughly investigated in 1800? And, as the candor and openness of Mr. Dundas caused him, in 1800, to avow, that the provisions of 1793 were *inadequate*, and prompted him strenuously to recommend the adoption of a *new principle*; is it not possible that, taking into his view all the circumstances which bear upon the question at the present day, he might, had his life been spared, have been convinced, that the extraordinary and unforeseen changes which have taken place in the political and commercial world, might have now rendered it, not only expedient, but necessary to relax, in some degree, upon the point of the import trade from India?

At an early period of the present discussion, Ministers appear to have entertained the same maxim, of confining the Import Trade from India to the Port of London. They were afterwards led, by a full exposition of all the various interests which remonstrated against that close restriction, to deem it just and expedient to propose (and wise and politic for the East India Company to consent), that *such of the principal out-ports as possessed the means whereby smuggling could best be guarded against*, should participate with London in the import trade from India; reserving exclusively to London the whole of the trade from China. This alteration of their original plan was suggested by them to the Court of Directors, not as a relaxation of the *existing privileges* of the Company (which was the nature of Mr. Dundas's proposition in 1800), but as a qualification to take place under a *new Charter*.

"When Mr. Dundas suggested to the Directors the new principle, of admitting Indian-built ships as the vehicle for carrying on the private trade, he was not treating with them concerning the *renewal* of their Charter; for they had then an *unexpired term of fourteen years*, in the privileges conferred upon them by the Act of 1793. His proposition, as has been just observed, went to a *relaxation* of an important part of those *subsisting privileges*; for which he sought to gain their acquiescence; and as his opinion was decided and avowed, "that the ostensible form of Government for India, with all its consequent detail of patronage, must remain as it now is, and that the monopoly of that trade ought properly to continue in the hands of the East India Company," it was prudent and seasonable in him to dwell upon that point.

Have not the Ministers of the present day evinced the same opinion? Have they not proposed, to leave the patronage of India, and the exclusive profits of the China Trade, with the Company? Does not the China Trade ensure the employment of all the large ships in the service of the Company; together with the continued engagement, in that line of service, of the Commanders and Officers of those ships; and also, of every other description of person now connected with that (*the largest*) branch of the Company's concerns? Have not Ministers proposed to confine the private trade with India to ships of four hundred tons and upwards; thereby leaving to the owners of such of the smaller ships now in the service of the Company, as by possibility may not be required for their commerce, the advantage (which establishment in any line of business must always give) of finding employment from those who, under the proposed extension, may engage in that trade? Have not Ministers, in proposing that the *Government* of India should continue to be administered through the organ of the Company, proposed to them the continuance of the peculiar and great benefit, of carrying on their commerce by means of the *revenue* of that Government? Whereas, the private adventurers must trade up on their own capitals, or at a heavy charge of interest.

How is it, then, that we hear so much of the loss which our Navy must sustain, from the large ships of the Company being withdrawn from the Eastern Trade; of the distress to which the Commanders and Officers, and the numerous classes of artifi-

cers and others connected with those ships, are to be exposed? Why are we told, that the East India Docks will be left empty, and the Proprietors be reduced to apply to Parliament for an indemnification? Can it possibly happen, that all these calamities, so heavily denounced, should arise out of a permission to be granted to private ships, returning from India, to proceed to certain ports to be designated; more advantageously situated for their trade than the Port of London? A permission, which the Directors themselves are of opinion will not long be made use of to any great extent; for they have told us, that the adventurers in those private ships will be disappointed in their speculations; and they have adverted to the mass of individual loss which must ensue from the delusion, as furnishing a strong argument, why Government ought not to yield to the importunity of the Merchants of the out-ports.

From all that has been stated, it would appear, that instead of the exaggerated picture of distress, which the advocates for a close monopoly to the Port of London have represented as the necessary consequence of relieving commerce from its present restrictions, we ought to entertain a well founded expectation; that *every class and description of persons*, who now find employment in the Indian Trade, will continue to have their industry called into action in the same line of employment, and even to a greater extent, in some instances, than is now experienced. For, unless the *union of interests*, which has so recently taken place between the City of London and the East India Company, should have the effect of preventing all competition between the Merchants of London (formerly so eager to participate in the trade with India) and the Merchants of the out-ports; it cannot fail to happen, from the spirit of enterprise which has uniformly distinguished the Metropolis, that the Port of London, to which the whole India Trade would be generally open, will furnish its full proportion of the new adventurers; and thus amply fill up that void, which the East India Company affirm would be created in the Port of London, by diverting so much of the Indian Trade to the out-ports: more especially, as all the houses of Indian agency; which have been formed since the Act of 1793, are established within the Metropolis.

Since this is the just prospect, which the adoption of the conditions proposed by Government as the terms for the renewal of the

Company's Charter, opens to our view ; since the share which the London Merchants may take in the enlargement of the trade, would not fail to supply employment for all that industry, which the Court of Directors assert will be interrupted and suspended ; while, at the same time, the extension of that advantage will create new sources of industry in various parts of the kingdom, without impairing or diminishing that of London ; whose will be the awful responsibility, if, by an obstinate rejection of terms capable of yielding consequences so extensively beneficial to the community, the Charter of the Company should not be renewed ; and if the disastrous effect should in consequence be produced, in London and its vicinity, of " a suspended industry, interrupted employment," and all the train of sufferings and calamities which has been drawn out ? Who will be chargeable, before the country, with " the loss and waste of establishments which have cost upwards of a million sterling—of shipping, to the amount of many millions—of a numerous and respectable class of warehouse-keepers, clerks, and superior servants, joined to three thousand laborers, and their families—of tradesmen of various descriptions, who have incurred a very great expense for the conduct of their business ? " Who will be chargeable, in fact, with all this destruction ? Will it be the Government, who desire the East India Company to *keep their Indian Empire, and their exclusive China trade* ? Or will it be the Conductors of the East India Company, who shall suffer this great machine suddenly to stop its action, *because their limited exclusive privileges are not made perpetual* ?

GRACCHUS.

LETTER VI.

Friday, January 22, 1813.

GRACCHUS is charged, by some of the champions of the East India Company, with error and a want of candor, because he has represented the Directors to have maintained, that opening the

import trade from India to the out-ports of the kingdom, involves a question of the last importance to the British Empire in India, and to the British Constitution at home; and those writers affirm, that the Directors do not deduce the danger of those great interests from the question of the out-port trade, but from the question of disturbing the present system of administering the Government of India.

Yet he can discover neither error nor want of candor in his statement. If those advocates will take the pains to follow the whole argument of the Directors, on the present occasion, throughout, they must be sensible, that his statement cannot be controverted. The Directors, indeed, avoid expressing their proposition in the fair and distinct form in which it is here drawn out; yet such is the proposition in effect. For, if the whole of it be reduced into a form of syllogism, it is no other than this:—

“Whatever shall cause the subversion of the present system of Indian Government, will cause danger to the Empire and Constitution.

“But, pressing the extension of an import trade from India to the out-ports, will cause the subversion of the present system of Indian Government.

“Therefore pressing the extension of an import trade to the out-ports, will cause danger to the Empire and Constitution.”

If we question the *minor* proposition, and ask, Why, pressing an import trade for the out-ports, should necessarily cause the subversion of the existing system of Indian Government? the answer of the Directors is already given:—Because they *will not* continue to carry on that Government, if an import trade from India should be granted to the out-ports. Thus, the original statement is demonstrably established; and all the logic of the City cannot overturn it.

The Directors must permit the words “*will not*,” for, with the record of the East India Company’s history before us, it is impossible to say they *cannot*. In proof of this assertion, let us take a review of that history, and let us examine, what evil resulted to the Company, during the period that the import trade from India was ACTUALLY extended to the out-ports of Great Britain.

When the first, or London East India Company, had incurred the forfeiture of their Charter in 1693, by the non-payment of a stipulated sum of money, their privileges were immediately restored to them, and confirmed by letters patent, granted by King William III. upon this express ground:—"Considering how highly it imports the honor and welfare of this our kingdom, and our subjects thereof, that a trade and traffic to the East Indies should be continued; and being well satisfied that the same may be of great and public advantage; and being also desirous to render the same, as much as in us lies, *more national, general, and extensive, than hitherto it hath been,*" &c.

This principle, of promoting a more national, general, and extensive trade to India than had subsisted under the then existing Company's exclusive Charter, gave rise to a *new measure* in the year 1698, in an Act passed in the 9th and 10th year of the same king, entitled, *An Act for raising a sum not exceeding two millions, &c. and for settling the trade to the East Indies.* The parties subscribing towards that loan, were formed into a Society, called *The General Society of Merchants, &c.*; and such of them as chose to unite their subscriptions, and to form a joint-stock, were incorporated under the name of *The English East India Company, &c.* The General Society possessed the privilege of an export and import trade with India, with the power of *bringing their import cargoes from India to the out-ports of the kingdom,* in the same manner as is proposed by Government at the present day; with this only difference, that the General Society of Merchants were not restricted as to the ports at which they should enter, whereas Government have now proposed, that merchants *should be restricted to such ports as can best afford the means of guarding against the depredations of smuggling.*

The regulations, which were adopted for ships importing from India to the out-ports, are to be found in the Act 9 and 10 William III. c. 44. s. 69. and were as follow:—

"Provided always, and it is here enacted, that no Company, or particular person or persons, who shall have a right, in pursuance of this Act, to trade to the East Indies, or other parts within the limits aforesaid, shall be allowed to trade, until sufficient security shall be first given (which the Commissioners of the Customs in

England, or any three or more of them for the time being, are hereby authorised and required to take, in the name and to the use of his Majesty, his heirs and successors), that such Company, or particular persons, shall cause all the goods, wares, merchandise, and commodities, which shall at any time or times hereafter, during the continuance of this Act, be laden by or for them, or any of them, or for their, or any of their accounts, in any ship or ships whatsoever, bound from the said East Indies, or parts within the limits aforesaid, to be brought (without breaking bulk), to some port of England or Wales, and there be unladen and put to land, &c. And that all goods and merchandises belonging to the Company aforesaid, or any other traders to the East Indies, and which shall be imported into England or Wales, as aforesaid, pursuant to this Act, shall by them be sold openly and publicly, by inch of candle, upon their respective accounts, and not otherwise."

Upon this Act of the 9th and 10th of William III. was built, in the following year, that famous Charter of the Company, upon which they rest the weight of their pretensions; and that very Charter, as is here rendered incontestable by the Act itself, comprehended the principle of an *Import Trade from India to the out-ports of the kingdom*.

The form and condition of the security which was to be given by the out-port merchants, will be found in the Act, 6th Anne, c. 3. entitled, "*An Act for better securing the duties on East India goods.*" By that Act, the security to be given was fixed "at the rate of 2500*l.* sterling for every hundred ton their ships or vessels shall be respectively let for;" and the only restriction imposed upon the import trade from India was, that it should be brought "to some port in Great Britain."

Thus, then, any man who looks but a little beyond the objects which lie accidentally before his eyes, may see, that the measure now suggested by Government, instead of being a wild and airy speculation, a theoretical innovation, a new, untried, and dangerous experiment, on which we have no ground to reason from experience (as it has been ignorantly and falsely asserted), is nothing more than reverting to an ancient principle, involved in the Company's applauded Charter of the 10th of William the Third, and to the practice of our forefathers in the brightest period of our domes-

tic history; a period, in which the British Constitution received its last perfection, and from which the present power and greatness of the British Empire, in the East and in the West, dates its origin.

Having sufficiently proved and established this *great fact*, let us next inquire, what history reveals to us of the consequences of that import trade to the out-ports, that can tend, in any degree, to justify, or give support to, the Company, in determining to resort to an alternative which, they acknowledge, will subvert the system of Indian Government (and thereby shake the Constitution at home), rather than renew the measure of a regulated trade to the out-ports.

We have not to deduce these consequences from *abstract hypothesis*, but from *historical testimony*; let us, then, observe what that testimony unfolds. No evil, of any kind whatever, resulted to the incorporated, or Joint Stock Company, from the privilege enjoyed by the out-ports. On the contrary, that *Joint Stock Company*, issuing out of the General Society of Merchants (which, as has been above stated, soon became the English East India Company), rose above all their competitors, notwithstanding the power of importing, without limitation, to *any of the ports of the kingdom*; and such was the rapidity of their progress, that they overcame the former, or London Company; they obtained a surrender of all their rights to St. Helena, Bombay, and all their other islands and settlements in India; they at length received that ancient Company into their own body; and finally became the United East India Company of the present day. And so little did the competition and free import of the general merchants tend to obstruct the growth of the United Company, even in the age of its *infancy*; and so "superior were the advantages they derived from trading with a joint-stock (to use the words of one of the Company's most strenuous champions), that at the time of the union of the two Companies, out of the whole loan of two millions, only 7000*l.* then remained the property of the *separate traders of the General Society*; and this sum also was soon absorbed, in the United Company." If then the Company, starting

originally with only a joint stock, against a competition in the out-ports of the kingdom, with a power to import to those out-ports, outstripped and overcame all their competitors; what can they seriously apprehend from a renewal of the same experiment, in the present momentum of their power, and when they are able to unite with their joint-stock, the whole of the revenues of their present empire in the East?

But it may be asked, if no better success is likely to attend the commercial speculations of the out-ports, why is so strong an effort made, to admit them to a share in the India trade? The answer is obvious. When Mr. Dundas, in the year 1800, so forcibly expressed his opinion against any such admission, he did not ground that opinion upon a question of *ports*, but of *commercial-capital*. He considered the capital of the Company as sufficient for all the advantage which the public, in the aggregate, could derive from the India Trade; and he maintained, that the aggregate interest of the public would suffer from any measure, tending "to divert any larger proportion of the commercial capital of the country from a more advantageous and more profitable use." But the circumstances of the world are become materially altered, since the period of 1800. The commercial capital, of which Mr. Dundas then reasoned, is deprived of that advantageous and profitable employment which his argument supposed, and is therefore without application or direction; from whence it has resulted, that the operation of commerce is interrupted, and its activity suspended. The allowing that capital to be partially directed to the markets of India, would therefore, under present circumstances, have the great national advantage, of recovering the activity and spirit of commerce, and of encouraging an extensive public interest which is at present disappointed, if not dormant; and, whenever a more prosperous state of things should return, the capital so engaged for a time, would, from the nature of commerce, unquestionably recal itself, and seek again a more profitable market, if any such should open. In the mean time, the East India Company, adding to their joint-stock all the revenues of India, need hardly know, because they could not *feel*, that they had any competitors in the markets of India. And, as the Executive Government was able to guard the out-ports against smuggling in the

period of *the infancy* of the Company, they might and ought to feel a perfect confidence, that the same authority can guard them equally now, in the present period of *their maturity*.

Thus, since history renders it indisputable, that an import trade from India to the out-ports of the kingdom has been heretofore exercised under Acts of Parliament, and that it may be perfectly compatible with the highest prosperity of the East India Company; since the Executive Government can guard it against smuggling at the present day, as well as in the reigns of King William and Queen Anne; and since a great and urgent national interest reasonably demands it, both from Parliament and the Company; the present moment furnishes a most fit occasion for the Company to consider Mr. Dundas's solemn call upon "their wisdom, policy, and liberality," made by him to them in the year 1800; and also his weighty admonition, that "*if any thing can endanger their monopoly, it is AN UNNECESSARY ADHERENCE TO POINTS NOT ESSENTIAL TO THEIR EXISTENCE.*"

It has been called *illiberal*, to question the motives of the Directors, in refusing their consent to an import trade to the out-ports. But, with the facts of history, which have been here produced, staring us and them in the face, it would be impossible not to question those motives. No man can entertain a higher respect for the East India Company, as a body politic and corporate, or contemplate with higher admiration the distinguished career which it has run, than Gracchus; but at the same time, no one is better persuaded of the operation of *policy*, in a body circumstanced as they are. And it is more especially necessary to watch that policy, and to be free to interpret *political motives*, at the present crisis, because, at the eve of the expiration of the Company's *last Charter*, in 1793, certain rights were anxiously alledged on their behalf in a work intitled, "*A Short History of the East India Company, &c.*" rights absolutely unmaintainable, and utterly incompatible with the sovereignty of the Empire, and the freedom of the Constitution; and the allegations, then made, appear now to assume the form of a *practical assertion*. To those alledged rights, therefore, it will be advisable early to call the attention of Parliament and of the nation.

GRACCHUS.

LETTER VII.

Wednesday, Jan. 27, 1813.

THERE is an irritability manifested at the present moment, by those who are intimately united in interest with the East India Company, which appears strongly indicative of an unhealthy case. It is well known, that the revenues of the Company, far from being able to contribute to the revenues of the State that augmentation which was made the condition of the Company's present Charter, have, from causes which the Directors could not control, been so deficient, that they have been obliged, at different times, to apply to Parliament for pecuniary aid; that they are burdened with a debt of not less than forty-two millions; and that they are *now* unable to discharge their engagements, without again coming to Parliament to obtain the means. Yet, "AN OLD PROPRIETOR" feels no uneasiness from this state of the Company's affairs; and this, we must suppose, proceeds from an opinion, that the dividend he now receives is secured to him for the time to come.

But Parliament has never, directly nor indirectly, made itself a collateral security to the Proprietors, for the payment of a dividend of 10½ per cent. The aids at different times granted by Parliament, have proceeded from a mixed principle, of *equity* and of *liberal support*. . Of *equity*, so far as the embarrassments of the Company have been occasioned by political events; of *liberal support*, so far as those embarrassments may have been caused by disappointment in trade. If the Proprietors should not discriminate between these two principles which have actuated Parliament, but claim the whole of the succour afforded, upon a ground of *positive right*, they might impose upon Parliament the necessity of requiring the East India Company to bring their affairs to a final settlement; in order that it may be accurately determined, how far the public are equitably pledged to the Proprie-

tors, and how far the Proprietors must be left to settle their own accounts with the Company alone. And it is possible, that the result might not afford that confidence of a well-secured dividend of ten and a half per cent., which an OLD PROPRIETOR considers it an attack upon private property even to question.

Such an issue, however, does not appear to be very likely to occur, unless the Managers of the East India Company's concerns, from any ill-advised determination in their counsels, should take some steps, by which their affairs should be abruptly brought to a settlement: in which event, any disappointment or loss sustained by the Proprietors will be chargeable upon those Managers, who thus desert their duty to their constituents; and not on the public, or the government. The Managers of the East India Company, having so clear and responsible a duty binding upon them, ought to be most scrupulous of failing in that duty, through any capricious or speculative "*adherence to points not essential to their existence*;" for, if they should sacrifice the interest of the Proprietors by now attempting to convert their *temporary grants* into a *perpetual right*; although the disappointed Proprietors may arraign the public, yet the public at large will, with justice, impeach the Managers of the East India Company.

In order to open the eyes of the Proprietors to the simple fact of their actual position, their attention was called by Gracchus, on the 15th inst. to the consideration, whether the Company, loaded with a debt of 42,000,000*l.* and being unable to discharge the sum of four millions becoming due, could reasonably expect, that if Parliament should now come to their immediate relief, it would engage itself, *in all future time*, for the payment of a dividend of ten and a half per cent.; especially, if, upon any contingent winding up of the Company's affairs, called for by their own pertinacity, their remaining resources should be found inadequate to secure that dividend to the Proprietors? And, the possible case was suggested, of some guardian of the public purse deeming it equitable, that in the event of Parliament being disposed to come to the relief of the Proprietors, under such circumstances, the latter should be called upon, on their part, to submit to some condition of accommodation.

"An OLD PROPRIETOR" discovers in this argument of

caution, only a *direct menace* from the Executive Government to the purses of the Proprietors;—a plain and intelligible *threat*, that payment of their just claims shall be withheld; and he “thanks God, that he lives in a country, where such language will be treated with merited scorn.” This OLD PROPRIETOR should have known, that Government has never declined to settle any accounts with the East India Company, which had been properly authenticated: under present circumstances, it is not to be expected, that Government should incur the responsibility of applying the public money to discharge claims which have not been sufficiently investigated. So far, however, is Government from having evinced any disposition to throw unnecessary difficulties in the way of the Company’s pecuniary arrangements, that, in the midst of the present contest with the Directors, it has granted to the Company a suspension of the payment of between 8 and 900,000*l.* of tea duties, which the Company had actually received from the buyers of the tea. It is perhaps not generally known, that the Company formerly paid the duties upon tea upon its being imported and landed; by which means, the amount of duties was immediately drawn into the Exchequer. To accommodate the Company, a change of practice was allowed by Government, and the Company have been permitted to sell their teas, in the first instance, without the interference of the officers of the customs, upon condition of the Company afterwards remitting the gross amount of duties to the Board of Revenue. Thus they actually make their own profits upon the tea, and receive into their own hands the Government duties, before they are called upon to pay them. The duties actually so received by the Company, amount to the sum above stated; and the OLD PROPRIETOR will probably deem it no slight proof of a wish on the part of Government to render an accommodation to the Company, that, during the pending discussion, it has made arrangements for allowing the Company an extended period, for transferring the very considerable sum of which they have actually received the beneficial use.

It should be always remembered, by the Company, and by the public, as parties in a great compact, that the privilege of an exclusive trade to India and China has never been granted to

the Company without reserve; or, as if their possession of that exclusive benefit was, *in itself*, the most advantageous arrangement for the public interest. The grant has always proceeded upon a principle, of bargain and covenant; and on the consideration of a pecuniary advance, to be made by the Company to the Public, as the condition for the renewal of *the lease of the public rights in the India trade*. Upon this principle alone, has the exclusive trade ever been conceded to the East India Company; either under its present form, or under any of its former denominations.

To shorten the discussion, however, let the Proprietors and the Company take the following compressed view, of the probable consequences which would severally result, from a *compliance with, or rejection of*, the proposition made by Government, as the basis of a new Charter; and let them consider, in *which of the two* they foresee the greatest security for their own future interests.

If, upon maturely weighing the case before them, the Company should accede to the proposition of Government; and if an arrangement, founded upon that proposition, should receive the sanction of Parliament;

1. The Company will preserve the *entire China trade*; and this principal sphere of their commercial profit, will remain undisturbed.

2. They will possess advantages for continuing to carry on the India trade, so far superior to those of all private competitors, from *their territorial and commercial revenues*, that, with a moderate exertion of their activity, they may preserve almost the whole of that trade.

3. They will possess *the regulation and control of the India Trade*, so far as depends upon the Indian Governments; and as those Governments will continue in the exercise of the executive power, all the private merchants, who may repair to the ports and harbours within the extensive limits of their jurisdiction, will of course *be subject to the authority of their Government*.

4. They will retain the whole patronage and expenditure of a revenue of upwards of *Fifteen Millions* sterling per annum in India, together with very extensive establishments at home, depending upon that revenue.

5. The accounts between the public and the Company, being brought to no sudden and violent crisis of settlement, may be amicably and leisurely adjusted, with a view to mutual convenience.

On the other hand, should the Company incautiously drop the *substance* to pursue the *shadow*, and refuse the proposition of Government: and should Parliament, upon a full and deliberate consideration of the actual circumstances of the Company, deem it more advisable to bring their accounts with the public to a thorough investigation and final settlement, than to admit the Company's new pretensions to a *perpetual monopoly*;

1. The Company will lose as much of the China trade as may fall into the hands of the private merchants, who *think* they shall be able to sell tea 85 per cent. cheaper than the Company.

2. They will lose the control of the India Commerce, and will carry on their traffic in India as subjects, in common with the private British merchants.

3. By that loss, voluntarily incurred, they may throw the greatest part of the trade into the hands of the private traders.

4. They will lose the patronage of India, and the establishments depending upon it; which they will thus compel Parliament, contrary to the disposition of Government, to place under different arrangements.

5. The accounts between the public and the Company must be referred for investigation to Commissioners of Inquiry, to be finally settled and adjusted.

It is now for the Proprietors, after well considering these two alternatives, to determine, under which of the two their dividend will be most secure.

With regard to constitutional objections against taking the Government of India out of the hands of the Company (upon which objection their confidence in their present pretensions chiefly reposes), it is difficult to conceive that the wisdom of Parliament, after the experience of so many years, is unequal to the task of devising a system as good as that of the Company, without incurring the evil which those Constitutional objections suppose. The Company's Government, it must be recollected, has been a production of chance, and has grown by the progress of accidental events. It has, indeed, answered far better in practice than could have been

expected, if we consider its origin; and therefore, it is not desirable that it should be materially altered; neither is it likely that any such alteration of the system should be contemplated, unless the indiscretion of the Company should impose upon Parliament the necessity of resorting to that measure. But it certainly does not seem to be a measure insuperably difficult to preserve whatever is really good in the present system, and even, to remedy some of its defects, without departing from the path of experience, and resorting to improvements of theory and experiment.

There is one point of view, however, in which such a system would acquire an evident advantage over that which has hitherto obtained: viz. that it would, in every session, be liable to the revision of Parliament, and to the immediate correction of every error which might be observed, and to such further continual improvements as experience might direct; *not being embarrassed by the compact of a Charter.*

GRACCHUS.

LETTER VIII.

Wednesday, February 17, 1813.

IT is very observable, that the objections which have been made by the East India Company to the admission of ships, returning from India, to import and dispose of their cargoes at any other place than the Port of London, are not founded so much upon any statement of the injury which the trade of the Company would sustain by admitting them, as upon a provident regard for the adventurers themselves, and a caution held out to them not to entertain an expectation of benefiting by any commercial speculation in India; since the long experience of the Company has enabled them to show, that it must be ultimately ruinous to the speculator. The sum of the experience, alleged by those who have come forward to defend this point, is "*That it is not practicable to extend the consumption of*

European manufactures generally in India ; and the facts which they have asserted in support of this experimental argument, and upon which they rest its strength, are these four following :

1. That the natives of India entertain a strong characteristic aversion to engage in commercial transactions with foreigners.

2. That their religious prejudices, customs, habits, and tastes, render it impossible that they should ever become consumers of our manufactures, to any extent.

3. That their poverty opposes an insuperable bar to such consumption.

4. That these facts and their consequences are demonstrated in the examples of the Portuguese and the Dutch, who were not able to carry their export commerce with India to any considerable extent.

Let us take these several propositions in their order ; and examine, how far they possess that force of truth, which the Company has supposed to belong to them.

1. In the infancy of the European intercourse with India, the sole object of those who engaged in its commerce was, to procure the produce and commodities of the East. In this pursuit, so far were the natives from opposing any obstacles to their endeavours, that they were found disposed to afford every facility to a traffic, which brought them *specie* in exchange for their manufactures, and for the productions of their soil. This fact, which is established by every writer who treated upon the subject of the India commerce during that period, would of itself constitute a complete miswer to those who advance the proposition, that the natives of India are averse, through an established prejudice, to engage in commercial transactions with foreigners.

When the ingenuity of the French and German artists enabled the speculators in this traffic to introduce *works of fancy*, we learn from Tavernier, who made six several journeys, between the years 1645 and 1670, from France to India, by various routes, that the Rajahs of Hindostan and of the Deccan, as well as the Mahomedan princes of those countries, admitted him into their states ; that the articles of manufacture which he introduced were received and purchased with an avidity which encouraged him to continue, for so many years, the pursuit of that commerce ; that he found the natives

of India, spread over the whole range of country from the Indus to the Caspian Sea, engaged in the active prosecution of foreign traffic; and that the number of *Banyans* (the chief commercial cast of Hindoos) at that time established at Ispahan, were not less than ten thousand. Forster, who, in a more recent period, followed Tavernier in one of the routes which he had traversed, informs us, that in the year 1783, he found Banyans established at Astrachan, within the Russian empire. And we further learn from Bruce, that the principal agents of commerce at Mocha and Jedda, in the Red Sea, were Banyans; and that they had even extended themselves into Abyssinia. No stronger evidence, therefore, can be required to make it manifest, that foreign as well as internal trade has been in all ages, and still continues to be at the present day, a common practice, and a favorite pursuit of the Hindoos.

2. With regard to the restrictive operation of the religious prejudices and customs of the Hindoos, against the adoption of foreign articles of manufacture; Mr. Colebrooke, lately a member of the Supreme Council, and an eminent Oriental scholar, has furnished us with information upon this subject, equally important and decisive. In an unpublished work, on the Agriculture and Commerce of Bengal, cited in *The Edinburgh Review*, for November, 1812, that gentleman observes, that, according to the sentiments of the Hindoos, "All things come *undephted* from the shop;" or, in the words of Meau, "The hands of an Artist employed in his art are always pure; and so is every vendible commodity when exposed to sale; that woollens are purified by a single exposure to air, while water is necessary to purify other clothes." Proceeding with these principles, he further informs us, "That the rainy season and winter of India afford real occasion for the use of woollens; that the fabrics of Europe are always preferred; and, if the articles were adapted in the manufacturè to the Indian use, and the price reduced, the consumption would descend from the middle even to the more numerous classes. That the natives of India do not want a taste for porcelaine, and other elegant wares; that they require vast quantities of metallic vessels, and of hardware; that, considering the greatness of the population, and the disposition of the natives to use European manufactures, it cannot be doubted that a great vend might be found, and that the demand will increase with the restoration of wealth."

The authority of Mr. Colbrooke on this subject would be conclusive, even if it stood alone : but it may be supported by a reference to the opinion of many persons, who have been resident in the great cities of India. Those persons would be found to testify, that at Delhi, at Lucknow, at Hydrabad, Mysore, and Tanjore, in all the capitals, whether Hindoo or Mahomedan, a taste prevails amongst the natives for a variety of articles of European manufacture. The late Nabob of Oode, was known to have affected the European dress ; as may be seen by the costume of his picture, in the possession of the Marquis Wellesley.

A large assortment of cut glass lustres has been provided by order for the Nizam of the Deccan : and a person is now proceeding to India, with the license of the Company, for the express purpose of arranging them, when they shall have reached his palace of Hydrabad.

The Rajah of Mysore (and, in the same manner, many of the Sardars of that state), is frequently clothed in scarlet cloth ; his servants are generally dressed in woollen of that color ; and he often travels in an English carriage, driven by postillions, who are habited in the English costume. The Rajah of Tanjore exhibits in his palace a colossal marble statue of himself, wrought by the hand of Flaxman ; and the monument of his revered Mentor, the late celebrated missionary Swartz, sculptured by the same eminent artist, was executed and sent to Tanjore, at the express and urgent desire of that enlightened Prince.

We must further observe, that so far are the religious and civil habits of the Hindoos from obstructing the intercourse of trade, that their policy has connected trade with religion ; and the great festivals of their worship, are at the same time the appointed periods and scenes of their most active commerce. Juggernaut, Ramissetan, Tripetty, are the most celebrated places of Hindoo devotion within the British dominions ; and every one who has resided in India must know, that *fairs* are held at those places at the periods, when the greatest concourse of pilgrims is drawn to them by the celebration of their religious rites and ceremonies. In further illustration of the disposition of the natives to traffic, in every way by which profit can be derived, the following fact may be stated ; which can be attested by every officer who served with the army

under Sir Arthur Wellesley (now Marquis of Wellington,) against the Mahattas, in 1803. The distant and severe service in which that army had been engaged, had exhausted the store of European necessities with which it had advanced against the enemy; and the officers arrived at Poonah, almost destitute of those comforts and accommodations. But they found the native merchants of that capital provided with the most essential of those several articles, and they were soon supplied, through the agency of those merchants, with every thing for which they had occasion. Poonah is the capital of a Brahmin government; and, therefore, this single fact would serve to furnish a complete answer to every thing that has been asserted, against the practicability of introducing and extending the manufactures of Europe into every part of Hindostan.

3. That the poverty of a large majority of the native subjects of our Indian Empire is such, as to disable them from acquiring our manufactures, is certainly true; but it is no less true, that a very considerable portion of that population possess the means of indulging in every article of convenience and luxury, both native and European. It has been very generally stated, that there are only *two* classes of people in India, the very rich and the very poor. But a minute investigation into the society of India, would discover the error of this statement, and would show, that there exists a third and *middle* class, far removed from the condition of either of the others; greatly exceeding in number the former of these, and falling far short of the latter. This class, as they certainly possess the means, would, if proper steps were taken, materially contribute to the demand and consumption of many of our home manufactures.

4. With respect to the evidence, attempted to be drawn from the ill success of the Portuguese and Dutch traders, we are to observe, that the situation of the Portuguese and the Dutch, during the period when they were in possession of the European trade with India, was so exceedingly different from that of the British nation at the present moment, that it is scarcely possible to draw a sound comparison between them. The native Governments were at that time powerful; and the establishments of the Portuguese, and afterwards of the Dutch, extended but a short

distance from the sea-coast; the manufactures of Europe were, in a manner, in their infancy; and neither Portugal nor Holland were manufacturing countries. Whereas, the British Empire is now established over the richest and most populous regions of India, and its influence is extended even further than its dominion; the manufactures of the United Kingdom have attained a degree of perfection, which never has been equalled; they can be fashioned to the tastes, the wants, and the caprices of every nation and climate; and certainly, the interests of the country call for the cultivation of every channel, which can be opened for the enlargement of our commerce.

We cannot better conclude these observations, than by applying the circumstantial evidence which they afford, to Mr. Dundas's letter of the second of April 1800; in which that Minister admitted the fact, of a *progressively increasing* consumption; but, at the same time, conceived, that the *customs of the natives* would prescribe *limits* to its extension. "I do not mean to say," says, he, "that the exports from this country to India have not been *very considerably increased of late years*; and I make no doubt that, from recent circumstances, *they may be still considerably increased*. But the prospect, *from the causes I have already referred to*, must always be a limited one." What these causes are, he thus explains:—"The export trade to India can never be extended to any degree proportionate to the wealth and population of the Indian Empire; neither can the returns upon it be very profitable to individuals. Those who attend to *the manners, the manufactures, the food, the raiment, the moral and religious prejudices of that country*, can be at no loss to trace *the causes why this proposition must be a true one*."

The evidence which has been produced demonstrates, that neither the manners, raiments, nor prejudices of Hindostan, are of a nature to impede the introduction of articles of European manufacture; and it thus proves, that *the causes* assigned for the limitation of our export trade, are not calculated to impose any such limitation. What, then, it may be asked, are the causes, why the consumption of the manufactures of Europe in India has in no degree kept pace with the extension of our territories, and of their population? The examination of this branch of our subject

would carry us to too great a length on the present occasion, and will therefore best be reserved for a separate communication.

GRACCHUS,

LETTER IX.

Saturday, March 20, 1813.

IN searching for the *causes*, which have prevented an extensive introduction of the British manufactures into the countries subject to the dominion or influence of the British Crown in India, it naturally occurs; that no measure appears ever to have been concerted, for the general purpose of alluring the attention of the natives of India to the articles of European importation. This neglect has evidently arisen from the opinions which have been so erroneously entertained, concerning the civil and religious prejudices of the Hindoos.

The evidence of Mr. Colebrooke has been adduced, to prove that those opinions are wholly unfounded; the following extracts from the *Travels of Forster*, in the years 1782-3, will further evince, that the Hindoos, far from entertaining any indisposition to engage in commercial dealings with strangers, have widely extended themselves in different foreign countries for that express purpose.

HERAT.—“At Herat, I found in two Karavanseras about one hundred Hindoos merchants, who, by the maintenance of a brisk commerce, and by extending a long chain of credit, have become valuable subjects to the Government. When the Hindoos cross the Attock, they usually put on the dress of a northern Asiatic, being seldom seen without a long cloth coat, and a high cap.”

TURSHISH.—"About one hundred Hindoo families, from Moultan and Jessimere, are established in this town, which is the extreme limit of their emigration on this side of Persia. They occupy a quarter in which no Mahomedan is permitted to reside; and I was not a little surprised to see those of the Bramin sect distinguished by the appellation of *Peerzadah*, a title which the Mahomedans usually bestow on the descendants of their Prophet. Small companies of Hindoos are also settled at Meschid, Yezd, Kachin, Casbin, and some parts of the Caspian shore; and more extensive societies are established in the different parts of the Persian Gulf, where they maintain a navigable commerce with the western coast of India."

BAKU.—"A society of Moultan Hindoos, which has long been established at Baku, contributes largely to the circulation of its commerce; and, with the Armenians, they may be accounted the principle merchants of Shirwan. The Hindoos of this quarter usually embark at Tatta, a large insular town in the lower tract of the Indus; whence they proceed to Bassorah, and thence accompany the caravans, which are frequently passing into Persia; some also travel inland to the Caspian Sea, by the road of Candahar and Herat. I must here mention, that we brought from Baku five Hindoos; two of them were merchants of Moultan, and three were mendicants, a father, his son, and a Sunyasee (the name of a religious sect of Hindoos, chiefly of the Brahmin tribe.) The Hindoos had supplied the little wants of the latter, and recommended him to *their agents in Russia*, whence, he said, he should like to proceed with me to England. The Moultaanee Hindoos were going to Astrachan, merely on a commercial adventure."

ASTRACHAN.—"The Hindoos also enjoy at Astrachan every fair indulgence. They are not stationary residents, nor do they keep any of their females in this city; but after accumulating a certain property, they return to India, and are succeeded by other adventurers. Being a mercantile sect of their nation, and occupied in a desultory species of traffic, they have neglected to preserve any record of their first settlement, and subsequent progress

in this quarter of Russia: nor is the fact ascertained, with any accuracy, by the natives of Astrachan. ¹ ”

Having thus seen that the natives of India are in no respect averse to engage in commercial dealings with strangers, and that no prejudices exist among them of a nature to prevent them from using our manufactures; we cannot but be forcibly struck with the reflection that no systematic plan has ever been adopted by the East India Company, to attract the attention of the Hindoos to the various articles of our home manufacture, or to stimulate their speculation in the traffic of them. Whereas in Europe, the Company have always found it necessary, for the disposal of their Indian Imports, to take active measures for drawing the attention of the nations of the European Continent to their sales in London.

The Directors, in their letter to Lord Buckinghamshire, under date of the 15th of April, 1812, (adverting to their sales in Europe,) observe, “ That the Foreign Buyers repose confidence in the regularity and publicity with which the Company’s sales are conducted; that the particulars of their cargoes are published immediately on the arrival of the ships, and distributed all over the Continent. That notices of the quantities to be sold, and periods of sale, are also published for general distribution; and that the sales of each description of goods are made at stated periods, twice in the year.”

No measure of this nature has ever been projected for India: and yet, the predilection of the natives of India, both Hindoo and Mahomedan, for public shows, scenes of general resort, and exhibitions of every kind, is so well known, that we may confidently affirm, that nothing could have a surer tendency to draw them together, than a display at periodical fairs of our various manufactures. Fairs of this kind, for the sale of their home manufactures, ¹ have been held from time immemorial, in every part of India. The Company therefore needed only to engraft, upon an established usage of the Hindoos, a regular plan of periodical fairs; and, by thus adopting in India a course analogous to that which they have found it necessary to employ in Europe, they might generally have arrived at giving to Calcutta, Madras, and Bombay, attractions of curiosity, and mercantile interest, which would most probably

¹ Foster’s Travels, p. 239.

have drawn to those settlements the wealthy natives from every part of the East; and have rendered the capital cities of British India, what Amsterdam, Frankfort and Lⁱp^sic have long been in Europe, the resorts of all descriptions of people, and the repositories of every European article of use and luxury. From these different centres of commerce, the markets of the interior of India, and especially those held at the scenes of religious assembly, might be furnished with supplies, and under the fostering encouragement of a wise and provident Government, the intelligence and enterprise of the natives of India might be called into action, and be stimulated, by a powerful motive, to exert in their own country those commercial talents that have obtained for them the encouragements, which, upon the unimpeachable testimony of Mr. Forster, they have long received in Persia, and in parts of Russia.

The advantage of collecting together, at stated periods and in established points, the productions of human industry and ingenuity, has been so universally felt by all nations; that there is scarcely a country, advanced to any degree of civilization, in which the practice has not prevailed. To effect this object, with a view to the extension of our export trade in India, *active encouragement* is alone requisite; but, in order to give it stability, *native agency* must be called forth into action. The supplies which (as was mentioned on a former occasion) were found at Poonah, were obtained from that source alone. The Parsee merchants at Bombay, are the principal agents of the Commanders and Officers of the Company's ships; such parts of their investments as are not disposed of among the European population, are purchased and circulated in the interior, by the Parsees. The small supplies of European manufactures, which find their way into the principal cities of the Deccan, proceed from this source, but there is reason to believe, that the articles which arrive at those places are too frequently of an inferior sort, or such as have sustained damage in the transit from Europe.

To give perfection to the great object here sketched out, it will be indispensably necessary that the local authorities in India should direct their most serious attention to this subject. As our *Indian empire is our only security for our Indian trade*, so our Indian trade must be rendered an object of vigilant concern to

those who administer the Government of that empire. From the multiplicity and importance of their other avocations, that trade has not hitherto received all the consideration to which its high value is entitled; but, whenever an adequate regard shall be paid to it, it will become a duty of the Government to take active and effectual steps, for *drawing the attention of the natives to our exported commodities*, and for *promoting the dispersion of those commodities*, within the sphere of their influence or power. *

We now discern *one operative cause* of the comparatively small demand for, and consumption of, our European articles, in the Indian empire; a cause, however, which it is within our capacity to control or to remove. And, after what has been summarily exposed, in this and in the preceding communication, it can be no difficult point to determine, whether *this cause*, or the alleged *prejudices of the Hindoos*, have most contributed to limit the extent of our Export trade to India.

GRACCHUS.

LETTER X.

THE RIGHTS AND PRETENSIONS OF THE EAST INDIA COMPANY.

Monday, March 8, 1815.

IT is now become a matter of the most solemn importance, that (the public attention should be called to a clear and deliberate survey of THE RIGHTS and PRETENSIONS of the East India Company; and that the judgment of Parliament should be directed to, and its sense declared upon, the subject of those pretensions, which have generated A NEW CONSTITUTIONAL QUESTION, and are now carried to a height to affect the supreme

Sovereignty of the State. To discuss those rights and pretensions at large, would demand a far more extended space than the present occasion can supply, but it would be altogether unnecessary to enter into a more enlarged discussion; because, in order to obtain the end here proposed, of drawing and fixing the attention of Parliament and the Public upon the subject, little more is required, than to bring those several rights and pretensions into one compressed and distinct point of view, and to leave it to the legislative wisdom to determine finally upon their validity.

The rights of the East India Company, are usually distinguished into their *temporary* rights, and their *perpetual* or *permanent* rights.

I. The *temporary* rights of the Company are .

1., *A right to the exclusive trade with all the countries lying eastward from the Cape of Good Hope to the Straits of Magellan.* This right is a lease of all the public right to the trade of those parts of the world, which lease has been renewed to the Company, from time to time, in consideration of a varying premium to be paid by them to the public.

2 *A right to administer the government and revenue of all the territories in India acquired by them during their term in the exclusive trade* This is a right, delegated from the Crown, with the assent of Parliament, and which can be possessed by the Company no longer, than the authority from which it emanates has, or shall prescribe

Upon the expiration of these temporary rights, which determine, as the law at present stands, in the ensuing year, 1814, the East India Company will remain in possession of whatever *permanent* rights shall be found to pertain to them.

II. The *perpetual*, or more properly, the *permanent* rights of the Company, must be considered under two distinct heads, viz, *admitted* and *alleged*.

Sol. The *admitted* permanent rights are,

To be a Body Politic and Corporate, with perpetual succession. This right has been confirmed by various succeeding charters and statutes. But there are some observations, which it is important subject. The first charter, granted by Queen Elizabeth, in 1601, to the first or London East India Company, created both its corporate capacity and its exclusive privilege, to

continue for a term of fifteen years; but it provided, that, in case it should not prove beneficial to the public, the *whole of the grant* might at any time be determined, upon two years notice given to the Company. The succeeding charters of James I. Charles II. James II. and William and Mary, conferred, in the same manner, both the corporate capacity and the exclusive privilege; and though they did not, like the former, fix a term for their duration, yet they rendered the *whole grant* determinable upon three years notice. No provision is introduced into any of these charters, to make the corporate capacity outlast the exclusive trade.* When the principle of “*a more national, general, and extensive trade to India*,” declared in the charter of the 5th Will. and Mary, had been followed by the measure of creating a general society of merchants, and of erecting *a new Company*, the advocates for that measure took particular care to show, “That the old Company, in reciting their charters, had forgot to mention the *provisos* therein, viz. that the respective kings of England, who granted them, reserved a discretionary power to *make them void* on three years warning.”† This observation did not apply to their exclusive privilege only, but extended equally to their corporate capacity; both being determinable by the same warning, because both were derived from the same grant, the whole of which grant was made liable to that determination, notwithstanding their corporate capacity was to enjoy “*perpetual succession*.” Hence it is manifest, that the perpetuity conferred by the charter was not perpetuity of exclusive trade, or political power, but of *corporate succession*. But perpetual succession in a body corporate, does not imply perpetuity of duration, but merely *uninterrupted* succession of the individuals who compose it; which every corporate body must possess, whatever may be the term of its duration, in order that it may become, and may be able to perform the acts of, *a legal person*.

The statute of 9 and 10, and the charter of 10 William, III. which created *both the corporate capacity and the exclusive privilege* of the New, or English Company, followed the example of the former charter, granted to the *Old Company*, and rendered the *whole grant* determinable by the same process. But, in the 10th

year of Queen Anne, after the two Companies had become *United*, they represented the great hazard they should encounter by engaging in any considerable expenses for securing the *Pepper Trade*, under the limitation of that clause, in consequence of which representation the clause was repealed, and the limitation was *left open*. The Company from thence inferred, that they had acquired a perpetuity of duration, both for their corporate capacity and their exclusive privilege, the continuance of *both* of which had ever been subjected to the same rule of determination. They soon, however, became sensible that such could not be the true intention of the Act, and they "submitted themselves to Parliament" on the subject, in consequence of which a limited term of exclusive trade was assigned them, without any limitation being imposed upon the *negative* perpetuity of duration, which they had acquired for their Corporation by the repeal of the determining clause. But it was not till the year 1700, the third year of the first King, that the Company obtained a true and *positive* perpetuity of duration for their Body Corporate, at which time an Act was passed empowering them to continue to trade to the East Indies, as a Company of Merchants, although their exclusive right to the trade, and their power of administering the government and revenues of India, should be determined by Parliament. From that time only, the incorporation and the exclusive privilege become distinguished. The distinction here made will be found of material importance, in another part of this statement.

2. *A right to a quiet enjoyment of lands, tenements, and property of every kind, and to enjoy of the same under a common seal.* This right was conferred by the charter of the 10th of King William, but by Statute G. 2 c. 11 § 14 the Company's estates in Great Britain were limited to the value of 10,000*l*. per annum. In virtue of this right, the East India Company were empowered to 'title factories and plantations,' within the limits of their exclusive trade. The charter of William, indeed, adds also "to," with the power of "ruling, ordering, and governing them," but that this privilege cannot attach upon their corporate and *permanent* capacity, will presently be made to appear. Fortresses

and fortifications cannot, from their nature and use, become absolute private property; being part of the public defences of the empire, they are (to speak with Lord Hale) "affected with a public interest, and therefore cease to be *juris privati* only." The building a fort is an act done, in its nature, by virtue of a sovereign authority, and is therefore the dereliction of the private right of property for a public and general purpose. In asserting for the Company a private right to forts and fortifications, the Company's advocates have therefore fallen into an extreme error, from not discriminating between the rights which necessarily belong to their *delegated sovereignty*, and those which can alone be annexed to their *commercial corporation*. And this brings us to the consideration of

§ 2. The *alleged* permanent rights of the Company, which require to be considered under two descriptions, viz. rights *alleged for them* at the expiration of their last exclusive charter, and rights *alleged by them* at the present moment, with a view to the renewal of their present charter. These are the rights, or more properly the pretensions, which have been pronounced by GRACIUS, "absolutely unmaintainable, and incompatible with the freedom of British subjects;" and not their true legitimate rights, as the writer of a letter under the signature of PROBUS has chosen to assume.

The rights *alleged for them* were these:—

1. *A right to possess in perpetuity certain extensive territories and seaports in India, after their right to the exclusive trade with those places shall cease.* In consequence of different ancient charters, granting to the Company an exclusive trade, together with certain powers of government, they have acquired and actually possess various islands, seaports, forts, factories, settlements, districts, and territories in India, together with the island of St. Helena; either by grants from the crown, by conquest, purchase, or by grants from the native powers in India. The nature and extent of their property in these several possessions, is an important public question. By grants from the Crown to the original or London Company, and by conveyance from that Company, they possess St. Helena and Bombay. By purchase, conquest, or by Indian grants,

they possess Calcutta and Fort William, Madras, and Fort St. George, and various other important seats of trade; of all which, for a long course of time, they have enjoyed the exclusive benefit.

With respect to the first of these; it is evident, that the old Company could only convey the places which they held of the Crown as they themselves held them; and subject to the same principles of policy and state under which they themselves had received them. The grants of Charles II., which conceded Bombay and St. Helena to the first Company, refer to the charter of the 13th of the same reign, which charter refers to, and confirms the preceding charters of Elizabeth and James I., making them the ground of the grants. The charter of Elizabeth declares its principle to be, "the tendering the honor of the nation, the wealth of the people, the increase of navigation, the advancement of lawful traffic, and the benefit of the commonwealth." The principle declared in the charter of James I. is, "that it will be a very great honor, and in many respects profitable, to the Crown and the Commonwealth." By a reference to, and confirmation of, these several charters, in the charter of Charles II., and in the grants of St. Helena and Bombay, these principles are virtually adopted; the end and purpose of the Grants is declared; and their ground is proclaimed to be, the honor of the British Crown, and the welfare of the British Nation. It was those great public interests, and not the separate interests of the Company, that the Crown had in view, in conceding the property of these distant dependencies.

By grants from the native powers, the Company are in actual possession of many extensive and valuable territories. The doctrine of the law of England, in regard to the operation of these Grants, was distinctly and officially declared in the Report of the Attorney General Mr. Pratt, and Solicitor General Mr. Charles Yorke, in the year 1757, viz. That the moment the right of property vested in the Company by the Indian Grants, the right of sovereignty vested necessarily in the Crown of England. "The property of the soil (said those eminent lawyers) vested in the Company by the Indian Grants, subject only to your Majesty's right of sovereignty over the settlements, and over the inhabitants as British subjects; who carry with them your Majesty's laws, wherever the

form colonies, and receive your Majesty's protection by virtue of your Royal Charters." In considering this head of right, the case of the five Northern Circars, to which the Company lay claim in their Petition, demands a particular attention; because, the advocates of the Company's pretensions are under a manifest error, with respect to their tenure of those territories. They maintain, that the Circars are held by the Company in perpetuity, under a military service, as tributaries to the Indian power or powers by which they were originally ceded; and that the Crown of England has no title to interfere, between them and their supposed Indian Chief. This pretension renders it absolutely necessary, to take a general view of the situation of the Company with respect to the Circars.

In the year 1753, the French were in the confirmed possession of the five Circars, together with the adjoining fort and dependencies of Masulipatam; of all of which they declared themselves to have obtained "*the complete sovereignty for ever,*" by a grant from the Subah of the Deccan, a Prince nominally dependent on the Imperial Crown of the Mogul. "So that these territories (says Mr. Orme,) rendered the French masters of the greatest dominion, both in extent and value, that had ever been possessed in Indostan by Europeans, not excepting the Portuguese when at the height of their prosperity."² The establishment of the French power in these important provinces, during the war between England and France, excited the most serious alarm in the Company, by threatening their settlements and possessions in Bengal; and called forth the vigorous and splendid exertions of Lord Clive, who, in the year 1759, sent a military force against Conflans, the French commander, under the command of Colonel Forde. That gallant officer succeeded in defeating the enemy in a pitched battle at Pedlipore; and, pursuing him from one extremity of the Circars to the other, terminated the campaign by the capture of Masulipatam; and thus, by obliging the French to abandon the Circars, the right of conquest was made good against the French. For it is not necessary that every part of a conquered country should be acquired by a separate victory, if

¹ Short Hist. of East-India Company, p. 11.

² History of Indostan, vol. ii. p. 335.

the enemy is compelled to evacuate his territory in consequence of any decisive operation; and the retention of Masulipatam was the evidence of the triumph of the British arms over the French. That this was the object of the campaign, is distinctly shown in the declaration made by Lord Clive before the Select Committee of the House of Commons, in the year 1772. Lord Clive stated to the House, "That soon after his appointment of President of the Company's affairs in Bengal, in 1758, he took into his most serious consideration the situation of affairs upon the coast of Coromandel. Monsieur Lally was arrived with such a force, as threatened not only the destruction of all the settlements there, but of all the East India Company's possessions. That he thought it was his duty to contribute his mite towards the destruction of the French, and therefore projected the scheme of depriving the French of the Northern Circars, contrary to the inclination of his whole council. That this expedition succeeded completely, for the French were totally driven out by Colonel Forde, with the Company's troops, whose conduct and gallantry upon that occasion was equal, if not superior, to any thing that had happened during the whole course of the war." This evidence of Lord Clive proves, that the scheme was *entirely military*, and that the success was *the success of arms*. By the Treaty of Peace concluded at Paris in 1763, (Art. 11,) "the Crown of France renounced all pretensions to those territories," which thus devolved, by an indisputable right of conquest, to the Crown of England. The Company, indeed, in the same year obtained a grant of Masulipatam from the Subah of the Deccan, which they now set forth in their Petition to Parliament: but yet, their most strenuous advocates admit, that Masulipatam belongs to the Crown of England, *by right of conquest over the French*.² And the same argument, that proves a right of conquest to Masulipatam, proves also a similar right to the Northern Circars.

In 1765, however, the Company being desirous of acquiring the form of an Indian title to the Circars, against the Subah, who might reclaim them, negotiated for a grant of those provinces at Delli, over the head of the Subah; which grant they obtained.

¹ Journals of the House of Commons, vol. xxviii. p. 211.

² Short Hist. of the East India Company.

But the pretensions of the Subah, who was close at hand, might disturb them in their attempts to occupy the provinces; they therefore thought it *expedient*, to temporise with the Subah, and to enter into a separate negociation with him, to induce him to surrender them; and they agreed to hold the provinces of him also, under an engagement to supply him with a contingent aid of *military force*, when called upon; and moreover, to pay him annually a tribute in money. By thus confusing their titles (which, instead of confirming, mutually, defeated each other,) they fully demonstrated the inefficacy and impotency of the Mogul's grant, in the present fallen state of that empire. But the Company could only engage themselves for *military service*, so far as they possessed the ability; and their ability is limited by the extent of their *military power*; which, being a part of their *sovereign power*, must necessarily determine with their sovereign capacity: as will be shown in the next article. Whenever that capacity ceases, they will be unable to furnish a single soldier, because they will be unable to raise a single soldier for the defence of the provinces. In that event, the Crown must of necessity interfere, to maintain and defend the territories; and then, *the original cause* which led to the acquisition of the Circars, namely, the expulsion of the French *by force of arms*, and their exclusion by *the influence of the same arms* in the Treaty of 1763, will be the true ground on which to rest the *question of right*: a right in the Crown of England, which had existence, prior to the form of the Mogul's grant, and prior also to the *expedient* of the grant from the Subah. And here we must keep in mind, that all territories possessed by the Company in India, by whatever means they have been acquired, are necessarily incorporated into the British Empire, and become subject to its Imperial Crown; conformably to the resolution of the House of Commons, in the year 1773: "*That all acquisitions made under the influence of a military force, or by treaty with foreign Princes, do of right belong to the State.*" And as the whole fabric of BRITISH INDIA grew out of a principle of advancing the *public welfare*, and was not an edifice raised merely for the separate welfare of the Company, every private interest comprehended in that fabric is, by every acknowledged maxim of State, public

right, and consistency, subordinate; and must be determined by the security of the public good.

2. *A right to retain in perpetuity certain essential rights of sovereignty, after the present delegated sovereignty of the Company shall have reverted to the Crown.*—Although this pretension is a contradiction in terms, yet the assertors of it entertained no doubts of its reality. They claimed for the Company, in their permanent capacity of a trading body corporate, a right “to appoint governors, to build and maintain forts, to muster forces by sea and land, to coin money, and to erect Courts of Judicature,” even after they shall have lost their power of administering the government of India; and this claim is renewed for the Company at the present day. There is in this pretension so radical an ignorance of the nature of sovereignty, that it is inconceivable how it could have been entertained by any one, who had ever given a thought to the subject of law or government. The powers here enumerated, are essential prerogatives of sovereignty; which may indeed be delegated for a time by authority of Parliament, but can never be granted in full property by the Crown. In order to appoint governors, it is first necessary to be invested with the power of government. The same power is manifestly necessary, in order to be able *legally* to raise or muster any force by sea or land, either for defence, or for any other military service. And it is acknowledged, that the power of government has never been granted to the East India Company, *but with limitation*. In the grants of Bombay and St. Helena, the Company is certainly empowered to erect forts, and to raise and employ forces; but by the same grants they are invested with the powers of Captain General in order to that end; virtually in the first, and expressly in the second. Will it be imagined, that they are to retain the authority of Captain General, after their powers of government shall cease? And if not, it must be evident, that their authority over forts, and all their military power, must determine, whenever their delegated power of Captain General shall determine. It would be an insult to any reader, who has ever cast his eye even on the elementary Commentaries of Sir William Blackstone, to insist

¹ Short Hist. of the East India Company, p. 56.

² Morning Post, Jan. 15, 1813, Letter signed Probus.

upon a truth so obvious and simple. With regard to the *erecting of Courts*, no such power is given in any of the Charters produced in evidence. The Crown erects the Court; and the power granted to the Company is, and necessarily must be, limited and subordinate. The *true cause* of that extraordinary error, is plainly this: the Charters of King William and Queen Anne, upon which they rest these pretensions, conferred at one and the same time (as has been already observed), both their corporate capacity and their exclusive privilege. The assertors of those *permanent sovereign rights*, not discriminating, by the principles of things, between the several powers conferred in those Charters, have confused the provisions; and have construed all the powers above enumerated, which by their nature could only appertain to them as *delegated Sovereigns*, to belong to their capacity of an *incorporated Company*. And, under this illusion, they have imagined, that those powers are annexed to that perpetuity of their corporate body which was first enacted in 1730, and confirmed in the 33d year of the present reign; and that they do not constitute a part of those powers of government, which have been conferred upon them, from time to time, by their exclusive Charters. As this construction is entirely arbitrary on the part of the Company, and as it is unsupported by the principles either of law or sound reason, it will be best refuted by the authority of Parliament.

3. *A right to exclude all British subjects from the Company's Indian ports; after their own exclusive privilege shall be expired.*—This right has been claimed in the following words:—“Although their exclusive right to the trade, and their power of administering the government and revenues of India, were to be determined, they would still remain an incorporated Company *in perpetuity*, with the *exclusive* property and *possession* of Calcutta and Fort William, Madras and Fort St. George, Bombay, Bevelcooten, and St. Helena, and various other estates and settlements in India. Whether, in the event of the sole trade being determined, individuals would be able to carry on a successful trade to India, if the Company were to *debar them the use of their ports and factories*, may require a serious consideration.”

This is a claim, not only to a *practical* exclusive trade, after the

right to exclusive trade *expressly granted* by Parliament, shall cease and determine, but involves also claims of perpetual sovereignty. It is incomprehensible, how it could be alleged by a writer who, in the preceding page, had pointedly excepted from their powers, that of converting the trade into "a mischievous monopoly;"¹ for, what more mischievous form could monopoly, or an hostile sovereignty, assume, than that of excluding all British individuals from the chief ports and seats of trade in India? By this alleged right, the grants of Charters and the provisions of Parliament would be reduced to an absurdity. But as this is a claim of *private right* to cause a *public wrong*, it cannot fail particularly to engage the consideration of Parliament.

The rights alleged by the Company at the present day, are these:—

1. *A right to all the ports and territories in India, possessed by the Company, of the same kind and extent as the right by which they hold their freeholds in London.*—This right has been solemnly asserted for the Company, by the chairman and deputy chairman of the Court of Directors, in these words:—"The Company are as much owners of the chief seats of European trade in the Indian Empire, as they are of their freeholds in London."² This is an open and unreserved declaration of the East India Company, renewing and assesting the preceding allegations made on their behalf at the expiration of their last exclusive charter: and the same allegation is now repeated in their petition to Parliament, though in terms somewhat more qualified than those which they addressed to the Government; viz. "that no person can have a right, except with the consent of the proprietors of India stock, to use the seats of trade which the stockholders have acquired." But they must bring an oblivion over all the reasons of state and policy by which they exist at all, before they can carry in the face of the nation the proud assertion, that they stand equally circumstanced, in regard of *private right*, with respect to "the chief seats of European commerce in the Indian Empire," and with respect to "their freeholds in London." They will assuredly be told by Parliament, that they may not exercise the same arbitrary authority over the chief seats of Indian

¹ Short History of the East India Company, p. 37.

² Letter to Lord Buckinghamshire, Dec. 30, 1812.

commerce, which they may over their freeholds in London. With regard to their freeholds in London, they may exclude all persons from entering them, they may desert them themselves, or they may let them fall to ruin. But it is not so with regard to the chief seats of Indian commerce; they will find, that they cannot arbitrarily exclude British subjects from those seats, beyond a limited time; that they cannot *debar* the nation the beneficial use of them; and that they will not be suffered to render them unavailable or unprofitable. As soon as the India Trade shall be thrown open, the ports of India will necessarily become open; and if the Company should then search for *their private right to close them*, they will find, that it is merged in *the public right to use them*: or, to use the words of Lord Hale, that “their *jus privatum* is clothed and superinduced with a *jus publicum*.”

2. The last right alleged by the Company at the present crisis, which forms the CLIMAX of their pretensions, and is the key to all their late proceedings, is that of a *perpetual union and incorporation with the Supreme Government of the Indian Empire*; so that the Indian trade and government must ever continue to be united in them, and cannot now be separated without endangering “*the British Empire in India, and the British constitution at home*.” This pretension renders the question of a *temporary* exclusive trade entirely nugatory, because it is the unqualified assertion of a *perpetual* one; not to be received any more as a *grant* from Parliament, as hitherto it has been, but to be extorted from Parliament through fear of the subversion of Parliament. This pretension is founded upon the Company’s interpretation of an observation, made by a late eminent Minister to the managers of the Company’s affairs, in the year 1800; viz. that “*the Government and the trade of India are now so interwoven together*,” as to establish an indissoluble “*connection of government and trade*.” This dictum is assumed by the Company for an incontestable maxim of state, as applicable to their own Corporation; and for an eternal principle, connecting that body corporate with all future Indian Government. This they denominate, “*THE SYSTEM, by which the relations between Great Britain and the East Indies are now regulated*,” and, in their sanguine hopes of gaining *perpetuity*; for their *system*, they already congratulate them-

selves upon their Incorporation into the Sovereignty, as a new, and fourth estate of the Empire.

It is that maxim, evidently embraced for this construction at the present crisis, that has emboldened the conductors of the Company's concerns to assume so lofty a demeanour towards the King's servants: and to venture to represent the cautious proceedings of Government in a great political question (in which it appears only as a *moderator* between two conflicting interests), to be an aggression against their indisputable rights. It has been asked in the Court of Proprietors, "whether the ministers of the present day are become so far exalted above their predecessors, or the Company so newly fallen, that adequate communications should not be made to the latter, of the plans and intentions of the former." It is neither the one nor the other; but it is, that *the Company* are become so elated and intoxicated by the ambitious expectation of being incorporated as a perpetual member of the Supreme Government, that they conceive they have no longer any measures to keep with the Ministers of the Crown.

And can the British people now fail to open their eyes, and to discern the strait to which the ancient crown and realm of England would be reduced, by submitting to acknowledge this *new estate* in the Empire? Greatly as it would be to be lamented that any thing should disturb the present internal tranquillity of our political system, yet, if such should be the necessary result of a resistance to the ambitious views of the East India Company, at ought to be manfully and cheerfully encountered, rather than admit, by a temporizing concession, a claim which shall bind Parliament to the will of, and degrade the Crown to an alliance with, a Company of its own subjects; which owes its recent existence to the charters of the Crown, and the enactments of Parliament, and yet aspires to seat itself for ever, side by side, by its own supreme Government.

The Company have carried too far their confidence in the *constitutional defence* by which they hoped to ride in triumph over the executive Government. Their exorbitant pretensions have bred a *new constitutional question* to which the public mind is now turning. In their solicitude to fortify themselves with *constitutional jealousies*, they have constructed a formidable fortress, which threatens to embarrass the citadel of the state, and must therefore of necessity awaken its jealousy. A change in the administration

of the Indian Government (should the Company finally prove such a change,) need not necessarily throw the patronage of India into the hands of the Crown; means are to be found, by which that political and constitutional evil may be effectually guarded against. But if, through a precipitate assumption, that no such adequate substitute can be provided for the present system, Parliament should, at this critical moment, ungrudgingly yield to the demands of the Company, and give its sanction to their claims to a *perpetuity* of those privileges which they have hitherto been contented to receive *with limitation*. What difficulties would it not entail upon its own future proceedings? If the corporate sovereignty of the Company is once absolutely engrafted upon the Sovereignty of the state, it cannot be extracted without lacerating the ancient stock, and subverting the general system.

The Company would have done wisely, if, instead of resting their case upon pretensions erroneous in fact, inadmissible in law, and derogatory of the authority addressed, they had rested it wholly upon their own endeavours to promote the original purpose of their incorporation: namely, *the honor of the Crown, and the advantage of the Commonwealth*. Upon that ground the Company might have stood strong; and all that would then have remained for the consideration of Parliament, would have been a question, how those great interests could, under existing circumstances be best advanced; either by continuing the present arrangement without alteration, or by modifying it in such particulars as Parliament in its wisdom might judge to be necessary. But instead of this, they have taken ground upon high pretensions of right, which must necessarily provoke investigation; and we have discovered, in the foregoing inquiry, how far those pretensions are supported.

The determination of this great question, however, is now reserved for Parliament; and upon the wisdom of Parliament the Country may with confidence rely, for a full consideration of all the public rights, commercial as well as political; and likewise, for the final adoption of such an arrangement for the government and trade of India, as shall appear to be the best calculated to advance the real interests, and to promote the general prosperity of the Empire, both in the East and West.

LETTERS OF PROBUS

OF THE

EAST INDIA QUESTION.

— "It so falls out"
That what we have we prize not to the worth
While we enjoy it—but being lack'd and lost,
We then extoll the value."

SHAKESPEARE

ADVERTISEMENT

The following Letters, published in the *Morning Post*, are submitted to the Public in their present shape, under the recommendation of many intelligent persons, who strongly feel that if the measures about to be proposed to Parliament are forced into a law, the British territories in India must inevitably be lost to the mother country.

London,

March 15. 1819.

LETTERS OF PROBUS,

&c. &c.

LETTER I

I AM glad to observe that you have invited to the discussion of the important subject of a renewal of the East India Company's exclusive privileges, and have stated your intention to admit, into the columns of the Morning Post, all calm and dispassionate discussions *on both sides* of the question. On this account I now address you.

Having attentively considered the whole of the papers printed by order of the Court of Directors for the information of the Proprietors, I confess that I am at a loss to understand why the Executive Body should so strenuously insist upon the right of the Company to preclude the out-ports of the United Kingdom from the importation of commodities from the East, *while a question* of infinitely more importance to the welfare, and even to the very existence of that Company, yet remains in doubt.

The question to which I allude is this. The Directors assert, that their constituents have a right to the permanent possession of the British territories in India, "vested in them by the laws of this land," and of which they could not be deprived, even if the monopoly were altogether to cease. His Majesty's ministers, on the contrary, explicitly declare, that, at the expiration of the charter,

such right, if chosen to be exercised, is vested in the British Public, and not exclusively in the East India Company.

The following passages, on this great and very essential point, are taken from the printed papers.

"It will be unnecessary" (say the Chairman and Deputy, p. 10,) "to enter into any discussion of the right of the Company to the territorial possessions; a right which they hold to be clear, and must always maintain, as flowing from their acquisition of those territories, under due authority, and after long hazards, and vicissitudes, and great expense."

"It is certainly unnecessary" (says the President of the Board of Control, in reply, p. 15) "to discuss the question of the Company's right to the permanent possession of the British territories in India. It is impossible that this right should be relinquished on the part of the public to the extent which has sometimes been maintained, and to which you seem to have adverted in the second article."

"But it may be observed here," (say the Chairman and Deputy, page 30) "and it is an observation which might be urged more formally and fully, that although the Company have the justest claim to those territories, which the powers vested in them by the laws of this land, the ability of their servants, and the hazards they have encountered, have enabled them to acquire; and that this right was never questioned, until the acquisitions, and consequently the merit of making them, became great; yet that, in a more peculiar sense, all the principal ports and factories of British India are their property, acquired on their purely commercial period, either with their money, or by means from the native princes of the land; and that the power of admitting settlers and traders to them strictly belongs to the Company."

"The large collection of facts," (the Chairman and Deputy, p. 119) "at least in the Company, by his Majesty's government, appear to have encouraged the merchants of the ports to make still further demands, regardless, as it would seem, of the political consequences which might ensue from a competition with them, and apparently, even now, that the corporate capacity of the East India Company is not exhausted, and cannot be so easily given up, even if the qualified monopoly they have enjoyed were to cease."

"The expediency of adhering to that system" (says the President of the Board of Control, p. 172) "by which the government of India has been administered, through the intervention of the Company, is strongly felt by his Majesty's government; but it must not be supposed, that there are no limits to that expediency, or that there are no advantages which might result from a different course."

"And we must beg leave to add" (say the Chairman and Deputy, p. 177), "that whatever rights the merchants may claim, or the nation be pleased to bestow on them, it cannot be equitable to make concessions to them which should destroy the Company who acquired the Indian empire, and who are as much the owners of the chief seats of European trade in that empire, *as they are of their freeholds in London.*"

"If the government of India" (says the President of the Board of Control, in reply, p. 183) "cannot be carried on with safety to the constitution, except through the intervention of the Company, the propositions of the Court of Directors, whatever they ~~may be~~, must unconditionally be admitted. It will be for Parliament to determine, whether the nation is, in this respect, without an alternative; or whether, if a change of system should be rendered necessary by the decisions of the East India Company, measures might not be taken for opening the trade, and at the same time providing such an administration of the government of India, as might be found compatible with the interest and security of the British constitution."

Now, Sir, in this conflict of opinion on a matter of vital import to the permanent security of the East India Company, I do not hesitate to declare, that the Directors will be mainly deficient in the duty they owe to the Constituent Body, if they do not openly and candidly state, at the General Court called for the 19th instant, all the arguments they have in reserve to support and confirm their own position, "that the Company are as much the owners of the chief seats of European trade in the Indian empire, *as they are of their freeholds in London.*" Let them *prove* it to be really so, and they may laugh at "the burning plough-shares" prepared for them by Agricola.

PROBUS.

Westminster, 8th January, 1813.

LETTER II.

SIR,

When your correspondent Gracchus, whose high and threatening tone ill suits the calm and dispassionate inquiry to which the columns of the Morning Post were to be appropriated, entered

¹ See the Morning Post of the 7th instant.

into a disquisition of the *permanent* and *temporary* rights of the East India Company, it might have been expected that he would give to the public the entire record, without mutilation. In advocating the weaker cause, he has produced so much only of the truth as would make for his clients, and reasoned thereon, as if, what he had produced, was the *whole* truth.

"The rights of the East India Company," he says, "are two-fold, and have long been distinguished as their *permanent* rights, and their *temporary* rights. Those rights are derived to them from distinct charters, granted to them at different times by Parliament. By the former, they were created a *perpetual* corporate society of merchants trading to India. By the latter, they obtained, for a *limited period of time*, the exclusive right of trading with India and China, and of executing the powers of government over those parts of the Indian territory, which were acquired either by conquest or by negotiation. The charter conveying the latter limited rights is that which will expire in the course of the ensuing year, 1814; on the expiration of which the exclusive trade to the East will be *AGAIN* opened to the British population at large and the powers of the India government will lapse in course to the supreme government of the British empire, to be provided for as Parliament in its wisdom may judge it advisable to determine."

Any one unacquainted with the history of the East India Company, would naturally infer from this statement of Gracchus, that the Company had no other *permanent* right than what resulted from their corporate capacity, as a society of merchants *merely* trading to India. Yet it is certain that they possess *other* permanent rights, and of a nature with which it would be extremely dangerous for any administration to interfere, because the Company cannot be, *constitutionally*, deprived of them. By the charter of King William, and confirmed by the 33d of his present Majesty, the Company possess in perpetuity the right to make settlements to any extent within the limits of their exclusive trade; to build forts; to appoint governors; to erect courts of judicature; to coin money; to raise, train, and muster forces at sea and land; to repel wrongs and injuries; to make reprisals on the invaders or disturbers of their peace; and to continue to trade within the same limits, with a joint stock, for ever. Not one of these rights could be, *constitutionally*, touched. "The Company are as much the owners of the chief seats of the European trade, in the Indian empire, as they are of their freeholds in London," although their exclusive right of trading, and the power of governing the countries, and appropriating the revenues thereof, should now, or at any time hereafter, lapse to the supreme government of the British Empire.

* When had it been opened?

It is not liberal in Gracchus to insinuate that the Directors are influenced in their opposition to his Majesty's government by considerations of self-interest; nor can any thing be more unjustifiable than his assertion, that they are *covertly* defending such interest, "by an artful and factious allegation of the ruin of the British constitution." I believe them to be actuated by a much nobler principle. I believe they are sincerely impressed with the same conviction, as I am, viz. "That, if the constitution by which the Indian empire is now administered, should be subverted, the excellent system of civil and military service formed under the Company, and maintainable only by such a body, will be broken down; the tranquillity and happiness of the vast population which that empire contains, the interests of the country in Asia, and its constitution at home, will be imminently endangered."

I can assure Gracchus that I am a perfectly independent proprietor of East India Stock, wholly unconnected with the shipping interest at the port of London; and quite indifferent to the smiles or frowns of the honorable gentlemen "behind the bar."

PROBUS.

Westminster,
14th January, 1813.

LETTER III.

SIR,

IT was not until the reign of Elizabeth, that the various attempts of the English merchant to open a trade with India proved successful. In the year 1600, that great Sovereign established the first incorporated society, by the name of the *London East India Company*. This Company had many difficulties to overcome. They were viewed with an eye of extreme jealousy, in both hemispheres. At home, many efforts were employed to persuade the Crown, and even Parliament itself, to interpose and annul the charter, on the ground that every man had an equal right to trade in the East as well as in the West; while in India the native powers had the strongest mistrust of all Europeans, in consequence of the sanguinary system of conquest and oppression, practised by the Portuguese, in that quarter of the globe.

At length, however, the London Company, by a moderate and just conduct, obtained from certain of the native powers, at a considerable expense, the sanction of a limited trade in different parts of India and of Persia, and of making small settlements for the residence of their factors. Such was the state of things when, in 1699, by the accidental failure of the payment of a small duty to the Crown, the government declared the charter of the Company at an end; and though in the very same year the Crown, to remove all doubts, revived their powers and exclusive privileges by a new charter, the Company were compelled to yield to a stipulation, that their capacity of trading *exclusively* to India, should in future be determinable on three years' notice.

All obstacle to the establishment of a *new* Company being thus removed, and the Crown in great want of money for carrying on the national war, the statute of the 9th and 10th of King William, was passed, for borrowing two millions on a loan at eight per cent.; the subscribers to which were to be incorporated by a charter into a general society, with liberty for each individual member to trade to India, provided the value of his exports exceeded not his share of the loan; and with liberty also to such of the subscribers as thought proper to convert their subscriptions into a joint stock, so to do, and to be incorporated by a separate charter, by the name of the *English East India Company*.

In the year 1702, the two companies united, and this union was confirmed by the 6th of Queen Anne. By the charter then granted, the warehouses at home, and shipping, and all the English settlements and factories in the East Indies, Persia, and China, including the islands of Bombay and St. Helena, with their dependencies, and all their rights and privileges, *however derived*, became vested in the United Company; and by the 10th of the same Queen, a statute passed (in consequence of the advance of a loan to the public without interest) for repealing all former provisos and powers of determining their trade or incorporation, but with power to redeem the debt at any time after September, 1733.

In the year 1730, an act passed for continuing the exclusive trade to the United Company till 1766; and in 1744, they obtained a farther addition of fourteen years. At this latter period, the debt due from the Public to the Company, amounted to four millions two hundred thousand pounds; carrying with it an annuity of one hundred and twenty-six thousand pounds.

In the 21st of his present Majesty, an act passed for continuing the exclusive trade till 1794; and, in the 33d of the King, another act passed for continuing it, with certain modifications, till 1814.

It is not a little singular, that the General Society, whose members were individually authorised, by the statute of King William,

to trade to India; although they were actually incorporated by the royal charter, and were therefore legally authorised to send ships to India or China, never did, notwithstanding the former clamor for a free trade, fit out any one ship; and that, out of the whole loan of two millions, not more than seven thousand two hundred pounds (afterwards absorbed in the United Company) remained the property of the separate traders. The superior advantages of a joint company, in the trade to India, were so evident, that no merchant would risk his property in a separate concern. It were to be wished that the merchants of the present day would act with equal caution, and forego the attempt to interfere with a concern of such weighty consequence to the general weal.

During the usurpation of Cromwell, the trade to India was indeed, for a short time, opened to a few hardy and desperate adventurers, whose speculations ended in their speedy ruin; and the government saw once more the necessity of confining the trade to a joint company, and so it has continued to the present time.

Having thus sketched, with all possible brevity, the rise and progress of the English East India Company; who, from a very small and unfavorable beginning, have become the first and greatest commercial association in the world, at once the glory of our own country, and the envy of continental Europe, I would seriously exhort his Majesty's ministers to ponder well, ere they suffer themselves to be misled by the clamors of an interested party, who would wildly put to hazard an ascertained revenue of upwards of four millions sterling, per annum; and with it the salvation of British India. We lost an empire in the West, by grasping at too much. We may lose an empire in the East, by a similar attempt.

PROBUS.

Westminster, '
16th January, 1813.

LETTER IV.

SIR,

I CANNOT, in common politeness, withhold from Gracchus my acknowledgments, for honoring me with the appellation "of one of the Company's most strenuous champions." Among the many advocates enrolled on the side which I have

espoused, there are none more zealous, though not one, perhaps more deficient than myself, to render adequate justice to such a cause. Yet, feeble as I am, Gracchus is an opponent with whom I can grapple; for, dealing more in fiction than in fact, it requires no great exertion of talent to subdue him.

Gracchus has *not* been charged by me "with error and a want of candor, in representing the Directors to have maintained, that opening the import trade from India to the outports of the kingdom, involves a question of the last importance to the British empire in India, and to the British constitution at home." No error lies here. There is no want of candor in this statement. The Directors have so maintained it, and had they done otherwise, they would have departed from the truth. The ablest statesman that ever lived, in respect to the affairs of India, has said, "That the maintenance of the monopoly of the Company, is even more important TO THE POLITICAL INTEREST OF THE STATE, than it is to the commercial interests of the Company." This saying should be written in letters of gold, on every panel of the room, in which the President of the Board of Control transacts the public business of his department.

But I charge Gracchus with error, and a want of candor and liberality, in asserting that these Directors are influenced in their opposition to the king's ministers, by motives of self-interest; and that they are *covertly* defending such interest, "by an artful and factious allegation of the ruin of the British constitution." These are his own words, in his first philippic. Mark how he shifts his ground, when pressed on the point. "It has been called illiberal (I am quoting from Gracchus, in his last essay) to question the motives of the Directors, in refusing their consent to an import trade to the outports. But with the facts of history which have been *here* produced (not one of which has correctly been given), staring them and us in the face, it would be impossible not to question these motives. No man can entertain a higher respect for the East India Company, as a body politic and corporate, or contemplate with higher admiration, the distinguished career which it has run, than Gracchus (so said another strenuous champion for the overthrow of the Company); but at the same time, no one is better persuaded of the operation of *policy*, in a body circumstanced as they are. And it is more especially necessary to watch that policy, and to be free to interpret *political motives* (or, as he had said before, *motives of self-interest, covertly defended by artful and factious allegations*,) at the present crisis, because, at the eve of the Company's last charter, in 1793, certain rights were anxiously alleged on their behalf, in a work, entitled *A Short History of*

¹ The late Lord Melville.

the East India Company, &c.: rights, absolutely unmaintainable, and utterly incompatible with the sovereignty of the empire, and the freedom of the constitution; and the allegations then made, appear now to assume the form of a *practical assertion*."

In the latter part of this quotation, Gracchus means; if he mean any thing, that the rights of the East India Company, granted *in perpetuity*, by letters patent, under the guarantee of the legislature, "are utterly incompatible with the sovereignty of the empire, and the freedom of the constitution." The Company claim no rights but those so guaranteed; and as well might Gracchus tell us, and with equal solidity of argument, that the Great Charter of Runnymede, the ground-work of British liberty, and the key-stone of that magnificent fabric, which in time resulted from it—THE IMPERISHABLE CONSTITUTION OF ENGLAND, is alike incompatible with the sovereignty of the empire. I trust it is not the wish of Gracchus, to overthrow this mighty structure, and yet he is digging at its foundations with unwearied toil.

Gracchus is unintelligible in that part of his argument, where he speaks of *maintained* rights, as "utterly unmaintainable." Has he not referred to the charters of William and Anne? And if he has read them with a disposition to inform himself truly of the fact, does he not learn from them, that there was no limitation, in point of time, to the exercise of those rights which were then attained, and which have been held sacred, and *maintained* as such, to the present hour? But, says he, they are incompatible with the sovereignty of the British empire. How so? Is not the chief seat of the Indian administration in the very center of the British metropolis? Have not the ministers of the Sovereign a controlling power over that administration? Can a single order, of a political, military, or financial nature, issue from that authority, without the examination, and, if necessary, the revision and correction of the Sovereign's ministers? And, above all, can a governor-general, or commander in chief, depart for India, without the sanction of the Crown, first had and obtained? Sir, the East India Company never can acquire the means, even if they had the inclination (and they are not yet mad,) to erect the standard of independence; and hence I argue that all the evils, and all the dangers, teeming in the fruitful head of Gracchus, are but the melancholy inspirations of a distempered imagination.

.. We are further told by Gracchus, that to open the outports to the imports of India, "is nothing more than reverting to an *ancient* principle, involved in the Company's applauded charter, and to the practice of our forefathers in the highest period of our domestic history." Indeed! Pray, Gracchus, when did that "*practice*" obtain, since the incorporation of the first Company? Certainly not during the reign of William, although leave was actually

granted, nor of any of the legitimate Sovereigns of England. True it is, that the usurper Cromwell, harassed by clamor, tried the experiment; and although he had not shown much respect for "*ancient principles*," yet, seeing the ruinous consequences of an unrestricted trade to India, he speedily and wisely reverted to the exclusive privileges of the Company.

I shall, hereafter, take some notice of the threat which has been held out, that, if the proprietors do not kiss the rod, they will get no dividend.

PROBUS.

Westminster,
25th January, 1813.

LETTER V.

SIR,

THE observations of Gracchus, in your paper of yesterday, demand a few words from me in reply.

Whatever inconsistency may be found in the reasoning of an "old proprietor," who is as much unknown to me, as I am to Gracchus, ought to be sustained by himself. My argument is, that the Directors have uniformly maintained, that, "opening the import trade from India to the outports of the kingdom involves a question of the last importance to the British empire in India, and to the British constitution at home;" and that, "if they had not so maintained it, they would have departed from the truth."

I shall give but one passage from the correspondence, to establish the accuracy of my position. It will be found in the 110th page of the printed papers.

"We are confident, my Lord, it was not the intention of his Majesty's ministers, that the East India Company should be broken down and despoiled of those faculties, necessary to enable it to perform the important part assigned to it by the legislature in the government of the British empire in the East; a part which pro-

ably it will be allowed to have performed well, and with more safety and advantage to the mother country, than any other system hitherto thought of could have done. The benefits accruing to that government by the reciprocal aids of revenue and commerce, the powers of which are united in the constitution of the Company, in a way peculiar to it, have been often seen, and fully acknowledged; and were it necessary, it would be easy to enlarge upon them. These powers have now become so incorporated, that it is impossible to separate them, without essentially endangering the whole of a system that has proved in practice eminently useful. If, therefore, the commercial part of that system were now to be destroyed, the political functions exercised by the Company would be so weakened, as necessarily to bring into view questions of the last importance to the safety of the British empire in India, and of the British constitution at home."

I am not the "champion" of the general conduct of the Directors (for their conduct, in many instances, imperatively demands a legislative scrutiny,) but of the permanent rights of the East-India Company; rights which, Gracchus says, are "unmaintainable," notwithstanding history furnishes the proof that they have been maintained and exercised more than a century, without the slightest attempt, until now, to question, much less to invade them. The territorial possessions of the Company are held by them, precisely upon the same terms and conditions as the freehold property of every individual in the empire, not upon lease, as Gracchus supposes, but in fee-simple; and of which they cannot be divested while British law exists, but for some great national purpose, and then only by full remuneration. How am I borne out in this opinion? Sir, I will give you the fact, as it has been recorded by the ministers of the Crown, on one of the most solemn occasions in which a ministry can be called upon to act. Their words are these: "Respecting those territorial acquisitions which the English East India Company have made in Asia, any disputes relative thereto must be settled by that Company; the Crown of England having no right to interfere in what is allowed to be the legal and exclusive property of a body corporate, belonging to the English nation."

• PROBUS. •

Westminster,
28th January, 1813. •

¹ Negotiations with France for a general peace, in the year 1762.

LETTER VI.

SIR,

THE long and labored statement of Gracchus, which fills no less than five columns of your paper of the eighth instant, upon "the rights and pretensions of the East-India Company," which, he still asserts, are "absolutely unmaintainable, and incompatible with the freedom of British subjects," does not call for a reply, so much upon the ground of solid argument and consistent reasoning, for neither the one nor the other will be found in it, as because of its tendency to mislead the judgment of such of the public, as are unacquainted with the historical facts that Gracchus so often misquotes.

If the East India Company could not claim, under their different charters, one single *permanent right*—if they were completely at the mercy of his Majesty's ministers, as it is pretended they are, still they would have nothing to fear, inasmuch as upon the wisdom of Parliament they might confidently rely, that no measure will be suffered to pass into a law, which, if passed, would have the certain effect of destroying that equilibrium by which alone the British constitution has been upheld, and by which alone it can be maintained.

I cannot do better than to refer Gracchus, and all the advocates on his side of the question, to the following observations, extracted from a work of high celebrity.

"A sovereign, who desires to open a commerce with a distant country, under the circumstances of India, has only this alternative: he must either give *exclusive* privileges to a company, or he must put his exchequer to the enormous expense of forts and garrisons, and warlike fleets, year after year, to awe the hostile natives. In this last supposition, the trade with such countries may be reserved as a monopoly of the crown, or laid open and free to all the subjects. Exclusive companies were chosen by the Dutch and English, in their prosecution of the commerce of India; and a Crown monopoly was adopted by the kings of Portugal. But no sovereign was ever so deep a theorist, as to take upon himself the enormous and uncertain expense of conquering and bridling

distant and warlike nations, in order that after enriching himself with the commerce of such countries, his subjects might be better enabled to pay what future taxes he might think proper to impose upon them.

"In political philosophy, an exclusive company and exclusive trade are exactly the same. Dr. Adam Smith himself (the philosophical champion for the abolition of the *monopoly*, of the East-India Company) gives the very worst character of a regal monopoly; but it seems to have been utterly unknown to him, that such ever was, and is, the Portuguese commerce between Europe and India; utterly unknown to him, that the Portuguese *free trade* in the Indian seas was a disgrace to commerce, was ruinous, in every principle, was esteemed infamous, only fit for felons in the days of the Portuguese prosperity; and, in order to its suppression, was taxed greatly beyond the trade carried on by the natives."

"The continuance or abolition of the United English East-India Company is a matter of the very first importance. If the territory of British India is to be the King's, he must have men in office to manage it under him, and these will have their private interests to serve, as well as the officers of a company. Whence then are we to expect their superior virtue? Not surely from their greater opportunities of extortion, and of evading inquiry. The clerks of a crown office have infinitely better opportunities of evading detection, and of amassing perquisites, than those of a company. But the question is; whether the valuable revenue, arising out of the present system, would be diminished or increased, were every port open, and every adventurer free to fit out what ships he pleased, to traffic with India,

"Were this allowed, what an army of custom-house officers must there be in waiting at every port of the kingdom! What a door for smuggling the luxuries of India would this open! and, it need not be added, what a diminution of revenue!

"Besides the great revenue which it brings to the national coffers, the East India Company forms one of the most active sinews of the state. Public funds are peculiar to England. The credit and interest of the nation depend upon their support, and the East India Company is not the least of these. It has often supported government with immense loans. It has often co-operated with government in the successful prosecution of the national wars. It has often made extensive sacrifices for the benefit of the nation at large, and its continuance includes the promise of future support in the like emergencies.

¹ Upwards of four millions sterling, per annum, without any expense to the nation.

And must this stupendous and important fabric be demolished to make way for an *untried theory*! For a free trade, which, while it increased our imported luxuries, would greatly diminish the revenue which arises from them; for a trade which would injure our own manufactures, were the present restrictions abolished; for a trade which could not be established in India for many years, and which, probably, is in its nature impracticable; and for a transition which, though possible, must be attended with innumerable difficulties, considering what convulsions, even the smallest stroke of legislative authority upon private property generally produces, notwithstanding all the precautions which may be used. In fine, for a system which must render THE SOVEREIGN the military despot of an immense and rich territory, and make him the sole master of an UNCONSTITUTIONAL REVENUE. A revenue, which, in the hands of a corrupt ministry, would easily defeat the noblest check against arbitrary power provided by the British constitution, the right of taxation in the House of Commons.

"The immense power which would be added to the crown, by our dominions in the East falling immediately under its management, must be a serious consideration with every one who believes the preponderating weight which that part of the constitution already possesses; and who wishes, at the same time, to preserve the just balance. Every intelligent mind must foresee the immense additional influence that would accrue, by the command of such a number of troops, the administration of such extensive revenues,¹ and the disposal of so many offices.

"Alas! at this present hour we feel a most melancholy proof of the sad mismanagement of the officers of the crown in the Western hemisphere; and of the difficulties and disappointments of raising a revenue in a remote country. May God never curse Great Britain by fixing her views and hopes on such *distant, such little, and such transitory* support!

"If properly watched and defended—if not sacrificed to the dreams and deluge of theory, the grand machine of her commerce will ever render Great Britain both prosperous and formidable. In this grand machine, the East-India Company forms a principal wheel. The *concentered* support which it gives to public credit,

¹ The author's indignation at the thought of such an attempt, has occasioned him to overlook an important fact. It has been tried, and it wholly failed.

² British woollen manufactures and tin have been exported annually, by the Company, to a great amount, but with a positive loss. Will the private merchant do this? Put the question to him.

³ Sixteen millions sterling.

the vast and most rational home tax which its imported luxuries afford, a tax which forms a constitutional source of revenue, ever in our hands, never to be affected by the politics of distant colonies; the population which it gives to the mother country, by the domestic industry employed upon the staple commodities which it exports; and the essential balance of trade given and secured by the exportation of its imports, are the great and permanent consequences of the present commercial system; consequences which can never arise from the importation of the greatest revenue."

"By an appeal to undeniable principles, we have held up to view the unavoidable disadvantages of laying open the Indian commerce; and from other principles, equally fixed and evident, it amounts to demonstration, that a despotic revenue, raised in a distant country, must ever be productive of war, transitory, unconstitutional, and dangerous in the Crown. We have, at the same time, evinced, that the benefits arising from the commerce of India, on the great principles of its present establishment, are important, domestic, and permanent. In an auspicious trade, therefore, we must submit to that necessity of circumstances which we cannot alter. We must not shut our eyes against the broad glare of the light of facts; and amputate the limbs, and dislocate the joints, of commerce, in order to shorten or to lengthen it to the standard of theory, as Procrustes is fabled to have fitted his unhappy captives to the standard of his iron bed.

"Every institution relative to man, is not only liable to corruption, but (such is the imperfection of human nature) is sure to be corrupted. Both the servants of a company, and the officers of a king, are liable to the influence of self-interest. But the monarch's ear is hard of access, and often guarded, and the regulations of a regal monopoly, or despotic revenue, are variable at his will. Appeal must here be hopeless. But under a Company, governed by fixed institutions, there exists (generally) not only a legal claim of redress, but a legal right of opposition. If errors and corruptions, therefore, be natural to every system of human government, let the system most open to inspection and correction be preferred, and let its errors and corruptions be corrected.¹ Happily, the British parliament is possessed of the power of such inspection and correction."

¹ The principal of which (Tea) has been described by the Earl of Buckinghamshire, the first commissioner for the affairs of India, as "one of the necessities of life."

² And begin with the executive body of the Company. God knows they stand in need of a radical reform.

Thus far, our author; if Gracchus can successfully confute him, or ~~if~~ he thinks he can, he will doubtless favor the public with another lucubration. In the mean time, I once more "seriously exhort his Majesty's ministers to ponder well, ere they suffer themselves to be misled by the clamors of an interested party, who would wildly put to hazard an ascertained revenue of upwards of four millions sterling, per annum; and with it the salvation of British India!" Their eyes have been opened to all the dangers that must result from any important change of system; and if they do persist, the blame must be all their own.

PROBUS.

Westminster,
11th March, 1813.

